



WRITTEN EVIDENCE submitted to the UK All Parties Parliamentary Group (Kashmir) - Inquiry on Kashmir

Cover all major human, political and social rights violated over the past 3 decades in both sides of Jammu – Kashmir.

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The tragedy of [Kashmir](#) is long and forgotten but the human suffering has continued to the day since 1931. For the purposes of this inquiry we have confined our evidence post 1995.

In 1993, the Indian government introduced a highly controversial law known as the **Armed Forces Special Powers Act (AFSPA)** to provide impunity for rights abuses and violations of basic human rights in Jammu Kashmir. AFSPA empowers Indian ‘Security Forces’ to search homes, make arrests, **without warrants**, and destroy suspected hideouts. It facilitates the **shoot-to-kill** policy with total immunity from prosecution.

Other draconian laws, such as the **Terrorist and Disruptive Activities Act (TADA)**; under which a person can be detained without formal charge or trial for up to a year, are used to keep individuals imprisoned for decades. Court hearings are conducted in SECRET! The courts have the power to keep the accuser and witness identity secret but the victims often do not know what the charges are against them. Similarly, the **National Security Act (NSA)**, allows any person to be detained without charge or trial for up to one year. There are many in Kashmir who have been kept behind bars for over a decade under this law.

Arbitrary Arrests, Imprisonment and Forced Disappearances

The **Jammu & Kashmir Public Safety Act (JKPSA)** became law on 8th April, 1978, which empowered Indian forces to detain a person without trial for up to 2 years for a broad range of political activities that are considered citizen’s rights elsewhere in the world. Its first victim was the then president of Kashmir Motor Drivers Association (KMDA), Ghulam Nabi, who attempted to contest Assembly elections against the National Conference founder Sheikh Muhammad Abdullah.

In 2008, the UN Working Group on Arbitrary Detentions ruled that 10 individuals detained under the Public Safety Act (J&K) had been *arbitrarily detained* in violation of articles 7, 9, 10 and 11(1) of the Universal Declaration of Human Rights and Articles 9 and 14 of the ICCPR. It called on the Government of India to bring its laws in conformity with its international human rights obligations.

To date, Indian government has taken no steps to bring about any meaningful changes to remove impunity through legislation.

‘The Working Group is aware of the political sensitivities regarding the state of Jammu and Kashmir and the complex law and order situation ensuing in that part of the country. As a part of its crisis management system, the Government is using laws of preventive detention, including the PSA Be that as it may, any legal, administrative or other mechanism employed, must conform to international human rights standards and obligations undertaken by the Government of India.’

UN WGAD opinion on 10 PSA cases from J&K, 26 November 2008

According to an Amnesty International report, A ‘Lawless Law’, Detentions under the J&K Public Safety Act, (March 2011) it was claimed that 70% of those arrested under the PSA law were taken into custody under the ‘administrative detention’ clause.

“The PSA violates international human rights law and standards by providing for detention without trial while denying the possibility of judicial review and other safeguards for those in detention required under international human rights law. It also violates the principle of legality by defining offences so broadly as to allow security officials to detain individuals on extremely vague grounds including for exercising their rights to peaceful assembly and freedom of expression ...”

Amnesty International report, A ‘Lawless Law’, March 2011

In 2012, the puppet State government attempted to amend the law but failed to curb its misuse as demanded by the international rights groups. While the detention period under PSA was reduced from 2 years to 6 months (security related cases) and from 1 year to 3 months (public disorder) but there are countless stories of individuals being rearrested immediately after being released on court orders. Dozens of Kashmiri lawyers have sought to challenge 100s of illegal detentions under the PSA law through habeas corpus petitions. Many of them have been successful but according to the High Court registry office in Srinagar, 367 habeas corpus petitions were filed in 2008, 272 in 2009 and 159 up to 19 May, 2010 and many of them are still pending in 2017.



A 14 year-old Mushtaq Ahmad Sheikh was charged with ‘taking part in violent protests’ and detained in Srinagar jail in April, 2010. He was later transferred to Udhampur and then Jammu jail. Five years later, his parents did not know of his whereabouts. On 2nd June, 2010, two 17 year olds, Mushtaq Saleem Baigh and Ishfaq Kana were arrested from Sopore village and lodged in

the Baramullah sub-jail. Both were severely tortured and their cases were cited in an AI appeal dated, 18 October 2010. Out of the over 600 cases cited by AI, approximately 290 detainees were found to be booked under the Arms Act offences. In approximately 160 cases, detainees were alleged to be in possession of fire arms or other such weapons when arrested but only 3 out of the 290 detainees were eventually convicted for possession of any weapons.

<https://www.facebook.com/bbcurdu.eu/videos/1749415812028629/>

Between June and September 2010, Indian paramilitary forces fired upon unarmed pro-independence protesters 61 times. At least 120 people were killed and 800 others including press reporters injured.



Following those protests and killings, a One-man Commission of Inquiry to report on facts and to make recommendations was established. The inquiry covered 17 out of the 120 deaths. Despite demands by Amnesty International and other organizations for an independent, impartial and transparent investigation, Justice Kaul's report has not been made public to date as we suspect its findings and recommendations have not been acted upon. Many of the 322 youngsters detained for stone pelting during those protests remain in prisons awaiting release or trial.

<http://www.aljazeera.com/news/2017/12/kashmir-father-fight-forgetfulness-171212113304705.html>

In March, 2013, the puppet CM Omar Abdullah, who setup up the Kaul Commission in 2010, nearly wept during a parliamentary speech, proclaiming to be helpless in putting an end to these excesses and claiming that his office was powerless. Some might call that crocodile tears but the evidence is overwhelming.

Omar Abdullah Speech - Video <https://www.youtube.com/watch?v=s2FV4akxuL0>

Current CM Mufti at a Seminar in Delhi; <https://www.youtube.com/watch?v=aNaKIaImQpo>

The International Convention on the Protection of All Persons from Enforced Disappearances defines enforced disappearances as *“the arrest, detention, abduction or any other form of deprivation of liberty by agents of the state or by persons or groups of persons acting with the authorization, support or acquiescence of the state, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law”*.

India signed the convention in 2007 but has not ratified it thus far. While no authentic official data has been made available, but in February 2003 an official statement in the Kashmir Assembly estimated that 3,744 persons had been reported missing between 2000 and 2002. According to the Srinagar-based Association of Parents of Disappeared Persons (APDP) at least 8,000 persons have disappeared since 1989. In July 2012, the state authorities admitted that a total of 2,305 persons had been reported missing in Kashmir during the past two years. It is believed that Indian intelligence and ‘Security Forces’ had abducted these people from their homes or from their place of work during search operations. Article 10 of the International Covenant on Civil and Political Rights (ICCPR) provides principles for the protection of all persons under any form of detention or imprisonment and the UN Standard Minimum Rules for the Treatment of Prisoners require that all persons arrested should be treated with humanity and with respect for the inherent dignity of the human person. These international laws require that all complaints of torture and other ill treatment in prisons should be investigated promptly, independently, impartially and thoroughly and that officials found responsible should be prosecuted and punished, but not in Kashmir.

In the free world, international conventions prohibit states from hiding behind lack of resources to justify refusal to investigate. The UN convention places the burden of implementing the right to the truth on the state, not on the victim's family. On this occasion, Amnesty International, urged the Government of India to allow and facilitate the UN special procedures including the UN Special Rapporteur on Torture and the Working Group on Arbitrary Detention and to ratify the same without reservations so that UN Convention against Torture and its optional protocols could be fully implemented. Eight years later, the UNHCR is still awaiting permission.

In a report published in June 2016, a Kashmiri human rights group "Voice for Victims", listed 471 torture centers in Indian occupied Jammu-Kashmir. M K Dhar, a former joint director of Indian Intelligence Bureau (IB), was quoted as saying, "They are our own little Guantanamo Bays".

In September, 2016, in his opening statement at the 33rd session, the UN High Commissioner for Human Rights, Dr Zeid Ra'ad Al Hussein, reported that he has continued to receive reports of excessive force being used against the civilian population under Indian administration called for "independent, impartial and international mission" to be allowed free and complete access to both sides of the line of control in Kashmir. He Pakistan had accepted his request but not India. India has continued to deny any access to any international monitoring body. Nearly a year later, on 6th June 2017, he claimed that "unconditional access to both sides of the Line of Control in India-Administered Jammu and Kashmir and Pakistan-Administered Kashmir", had still not been granted and that he continued to receive reports of increasing violence, civilian casualties, curfews and website blackouts. <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21687&LangID=E>

On 25th February, 2017, the Srinagar based daily, Greater Kashmir, made a shocking disclosure that a total of 16,329 young and old in Jammu Kashmir had been detained under the controversial Public Safety Act (PSA) since 1988. In 2012, it was claimed, that 4000 people had been detained under this law since 2002.

On 1st December, 2017, another daily, Kashmir Reader, published a story claiming that the number of people arrested under the PSA law over the past 2 years was the highest in a decade. 738 were detained in 2016 and another 522 were booked in the first 5 months of 2017. The youngest victim was 14-year-old Sahil Ahmad Sheikh of Srinagar, while among the oldest was 84-year-old Shah Wali Mohammad of Sopore. The news story quoted a human rights lawyer, who claimed that while J&K High Court quashed 257 PSA detentions in 2016, the police authorities instead of releasing the detainees slapped fresh PSA detention orders on them. *"There is no exact number of people who were repeatedly slapped with the PSAs," Qadri said. "About 55 people were slapped with PSAs again, whom I represented as counsel. I am fighting the case of Mohammad Shaban who had four PSAs slapped against him and of Assadullah Parray, who was recently booked under a 5th PSA in a row."*

<http://kashmirreader.com/2017/12/01/in-a-decade-highest-number-of-psas-slapped-in-last-2-years>

On 15th September, 2017, the J&K High Court quashed second PSA detention for a 70 year old man, Khan Sopori, but in November he was slapped with a third PSA order and detained for indefinite period. He was first arrested in February, 2017 under a PSA order which was quashed by the High Court June.

Another case of the PSA being rampantly used to keep pro-independence leaders behind bars is that of Masarat Alam Bhat, currently held in Kathua jail, Jammu. He has been booked under PSA 36

times and was first imprisoned on 2nd October, 1990. On 23 November, 2017, the New Delhi based Peoples' Union of Democratic Rights (PUDR) issued a statement claiming the J&K high court actually quashed his illegal detention and ordered his release on 25 October, 2016 but he was re-arrested under new charges. He has been in continuous detention since 2010, except for a short period of 40 days in 2015. Dr Qasim Faktoo, who was first arrested in 1990, is another case of rampant abuse of PSA law. For the 25 years of his incarceration he has not been allowed to see his wife or children in Jail.

Some of the other recently released names under detention include, Dr Mohammed Shafi, Ghulam Qadir Bhat, Ashraf Sehrai, Mohammed Ashraf Laya, Abdul Ahad Parray, Manzoor Ahmed, Parray, Meharaj Uddin Parray, Mohammed Rafique Ganai, Abdul Ghani Bhat, Amir Hamza Shah, Mohammed Yousaf Flahi, Mir Hafeez Ullah, Mohammed Usaf Lone, Raiyes Ahmed Mir, Shakeel Ahmed Yattoo, Mohammed Rustam Bhat, Ghulam Mohammed Khan, Mohamed Ramzan Bhat, Muzaffar Ahmed Dar, Mushtaq-Ul-Islam, Farooq Ahmed Toheedhi, Sajjad Ahmed Bhat, Mushtaq Ahmed Ganai, Naseer Ahmed Ganai, Salaman Yousaf, Manzoor Ahmed Kaloo, Sheikh Mohammed Yousaf, Abdul Khaliq Ragu, Ghulam Mohammed Tantray, Shahid Ul-islam and Moulana Sarjaan Barkti, Shoukat Ahmed Hakeem, Mehraj Udin Shergujri, Mohamed Younis Khanday, Mushtaq Ahmed Lone, Bashir Ahmed Kashmir, Dawood Zargar, Pir saifullah, Farooq Darr and Asiya Andrabi, Naeem Khan, Bashir Bhat Mehraj Uddin, Altaf Shah, Ghulam Mohammed Bhat, Zahoor Watali, Shahid Yousaf, Abdul Samad Inquilabi, Mudassar Ahmed, Umar Aadil Darr, Shah Walli Mohammed, Moulana Mudassar Nadvi, Shoukat Ahmed Bhat (of Bijebihara – Bandipura), Mohammed Yasin Atai, Bashir Ahmed Irfani, Sayed Imtiaz Haider, Muktar Waza,

Since 2015 popular uprising 2,364 have been lodged in 14 Kashmiri jails across the state in Jammu & Kashmir. Only 347 have been convicted so far and 1929 of these are awaiting trials including 18 detainees who have not been told of any charges. Apart from physical torture, quality of food and lack of medical facilities has given rise to many ailments but prisoners are rarely moved to hospital.

When 21 year old social media activist, Burhan Wani, was killed by Indian Army in an alleged encounter on 8th July 2016, the Kashmir valley saw 51 days of protests and curfews (Jul-August), which continued into September and further 68 unarmed civilians were killed, many blinded by the use of Pellet Guns. It is pertinent to mention that his elder brother Khalid Wani and three of his friends were killed by the Indian Army on 13th April 2015, when they apparently went to see Burhan. Only a month earlier Burhan released a social media video, countering Indian 'security forces' plans about Amarnath pilgrims. He gave public commitment that his group would see that no harm would come to Amarnath Yatries.

https://www.telegraphindia.com/1160829/jsp/frontpage/story_105114.jsp

It is important to note that many of the Kashmiri youngsters who have taken up arms against Indian occupation were born post 1995- JKLF ceasefire. The JKLF chairman, Yasin Malik, is on record for pleading with the Indian leaders over the past 20 years that by pushing the Kashmiri youth to the wall and by strangling their political voice they were giving reason for militant movement to flourish, and that the new generation of youngsters would get out of control. This plea was taken up by JKLF's international diplomatic campaigners to the international community, especially in our meetings with the relevant heads of the UK Foreign and Commonwealth Office on many occasions. All our pleas seem to have fallen on deaf ears, giving rise to deeper discontent and increased the appetite for armed resistance within J&K. There are many reasons why young men are resorting to armed resistance in J &K, including the disappearance of their elders or the treatment they receive in prisons.

On Nov 27, 2017, JKLF Chairman, Yasin Malik, while imprisoned in the Srinagar, jail came across a young man who had been imprisoned under PSA law but was not able to walk two steps without walking sticks.

It was learnt that on 21st September, 2016 a severely disable 35 year old Moahmmmed Tanweer Waar son of Mohammed Shaban Waar of Baramullah, was arrested and sent to Kotbalwal jail, Jammu, where his parents could not meet with him. Two months later he was charged with PSA offences and moved to Srinagar central jail. Yasin Malik saw him and highlighted his case on his own release from prison. Tanweer remains imprisoned pending a legal challenge in the high court but there are many more cases which ICRC wanted to investigate. They have been barred from visiting Kashmiri jails.



Jail inmates facing physical, mental torture: Joint Resistance Leadership

GK NEWS NETWORK

Srinagar, Nov 10: Expressing serious concern over the plight of detainees in jails in and outside Jammu and Kashmir, the Joint Resistance Leadership Syed Ali Shah Geelani, Mirwaiz Umar Farooq and Muhammad Yasin Malik today said, "The way prisoners are treated rather ill treated in various jails, interrogation centers and police stations, has surpassed all the limits of the barbarism."

The leaders termed it as 'revengeful and biased behavior' of jails authorities.

"These inmates are subjected to the worst physical torture where their body hair are forcibly plucked out and they are abused and beaten to pulp by using every repressive technique to force them to subjugation. The inmates are degraded, humiliated and beaten repeatedly

which puts them under severe psychological and mental stress, affecting their physical wellbeing. If somebody takes ill he is denied medical treatment. Recently prisoners called for help at district jail Baramulla as one of their inmates was suffering from severe and excruciating abdominal pain. Jail authorities, instead of arranging some medical help for the ailing prisoner, called in more policemen to silence the inmates and started beating them ruthlessly, injuring dozens and fracturing the arm of a 78 year old Ghulam Mustafa. These helpless prisoners fought this high handedness by putting only themselves to more trouble by observing hunger strike for many days," they added.

Giving details of youth detained in various jails, they said, "In Srinagar Central Jail there are 350, Sub-Jail Baramulla 150, district

jail Kupwara 100, district Jail Islamabad 120, district Jail Kathua 320, district Jail Kotbalwal 350, Hira Nagar Jail 20, Amphala Jail 75, district Jail Poonch 20, district Jail Udhampur 225, district jail Kishtwar 50, children jail Harwan 60, Tihar Jail Delhi 75, Jodhpur jail 10, Bangalore Jail 5, Gujarat Jail 2, Varanasi Jail 7, Agra Jail 4 and other police stations and interrogation centers 1500 and under PSA 600 are detained."

"According to the reports from reliable sources worst repression and torture centers are Rajbagh, Pulwama, Kulgam, Nowhata, Baramulla, Shopian and Kupwara where the authorities are disobeying their own laws and regulations, jeopardizing, endangering and threatening not only the future of the prisoners but their lives as well," the leaders said.

Leaders while expressing con-

cern over the plight of those languishing in the jails outside Kashmir said, "The biased jail staff provoked by the venomous extremists are trying every weapon in their armory of hate to harass and physically insult the prisoners. Younger ones are deliberately kept with hardcore criminals endangering their life. Proper medical aid and other facilities they are eligible to, according to the jail manual, are completely denied. Filthy and foul-smelling food full of rock-grains and worms is supplied to the inmates, slowly poisoning them to death," they alleged.

Leaders expressed anguish over the plight of those in jails for decades together. "Hatred and apathy by the police and bureaucracy and the criminal silence of the champions of the human rights, have traumatized and put, not only these inmates in a maca-

bre situation but their families as well. Their families after spending hefty sums on travel to these far off places to meet their dear ones are humiliated and terrified on the pretext of orders and other documents. Not to talk of international laws, Geneva or UN charters regarding the prisoners especially political, those every time and everywhere swearing and promising to uphold a law and constitution, themselves tarnish, molest and blemish them, only to assuage the thirst of their unending hatred."

Joint resistance leadership said, "Local government and its yes-men have already sold out their conscience— but still if somebody in the shape and skin of a human being amongst them has some worth left in them they, on mere humanitarian grounds, should treat these prisoners as humans," they added.

Shabir Shah

Another ailing pro-independence leader, Shabir Shah, who spent most of his youth in Indian prisons was arrested on false charges several months ago and shifted to Tihar jail. According to his wife, Dr Bilquees Shah, he was shifted from jail number 1 to number 7. On 4th December, 2017, she complained that the Jail authorities were keeping him in solitary confinement for the past 6 days where his health condition had deteriorated due to none availability of medical care despite a court order to shift him to hospital for checks.

Extra Judicial Killings and Torture in Indian Prisons

In December 1994, the 19th Dogra Regiment of the Indian Army arrested a young man Nazir Ahmed Shiekh (picture) from his home and took him away. He was allegedly tortured in Prison where his four fingers were cut during questioning. After his release from prison he was admitted to hospital and both his legs had to be amputated to save his life.



In 2005, an Unreported World documentary, 'The Killing of Kashmir' provided a rare glimpse into the horror story of torture, death and destruction at the hands of occupation forces in Jammu Kashmir.

<http://topdocumentaryfilms.com/the-killing-of-kashmir/>

In 2010, a batch of documents, released by Julian Assange's Wikileaks, revealed how the International Committee of the Red Cross (ICRC) sent evidence to US diplomats in India about the widespread torture by Indian security forces in Kashmir following their 2002-04 visits. The leaks were published by The Guardian newspaper in the UK, one of five publications - including the New York Times, France's Le Monde, El Pais in Spain and Germany's Der Spiegel - given access to the entire archive of the reports from US diplomats out in the field by Wikileaks.

The ICRC told diplomats they had made 177 visits to detention centres and met 1,491 detainees, a cable published in the UK Guardian newspaper said. The details included 852 Kashmiri torture victims. 171 of them said they were beaten and 681 subjected to one or more of six forms of torture:

- Electric shocks
- Suspension from ceiling
- Crushing of leg muscles
- Legs split 180 degrees
- Water torture
- Sexual abuse

<https://www.theguardian.com/world/2010/dec/16/wikileaks-cables-indian-torture-kashmir>

Guilty of condoning Indian practices, the free world did nothing about these revelations, which Indian security forces took as discrete approval of their war crimes.

<http://www.channel4.com/programmes/kashmirs-torture-trail/4od>

According to a Channel 4 documentary '**Kashmir's torture trail**', first broadcasted on 10th July, 2012, impunity for gross violations, including the arbitrary arrests, torture and disappearance of thousands of young people in Jammu-Kashmir, has been going on for the past 3 decades. Some of the Western media reports have covered a few of these stories since 1988, but very little of these horror stories is covered in the Indian media. There are several publications and books available on the stories of forced disappearance dating as far back as the 1950s.

On 28th November 2017, the Srinagar based Kashmir Monitor reported that 18 Kashmiri prisoners were allegedly assaulted in Delhi's Tihar jail in the previous week. Photographic evidence made

available by members of the APHC on previous day included visible severe torture marks. Amongst those tortured include the son of Hizb leader, Yousaf Shah's son Shahid and others pictured below.



<https://www.kashmirmonitor.in/Details/137648/tortured-in-tihar-jail-kashmiri-prisoner-hospitalized-in-sopore>

Torture victims under treatment in Sringar Hospital. Names unknown



On 25th December, 2010, a young boy **Umar Qayyum** was beaten to death while being arrested by the CRPF. According to a hospital report (SKIMS) he died of 'intrapulmonary haemorrhage'. His family accused a police officer Zahoor Ahmed, for supervising torture but 7 years on his family still seeks justice. Umar died in hospital but no case has ever been registered against anyone.



In 1996, a prominent human rights lawyer, Jalil Andrabi, was abducted from his home in Srinagar by Indian army, lead by Major Avtar Singh. His bullet ridden body was discovered a few days later river Jehlam. Following huge protests from the lawyer fraternity, the State government in Srinagar promised thorough inquiry to investigate all such abuses of military excesses but in reality very little progress was made in this case and Major Avtar Singh was allowed to leave the country with his family to avoid possible prosecution. He was accused of at least 10 other killings in Kashmir. On 2nd June, 2012, Major Avtar Singh's dead body was found in Selma, California. He had killed himself along with his family.

<https://m.csmonitor.com/World/Asia-South-Central/2012/0612/From-Kashmir-to-California-in-the-footsteps-of-a-wanted-killer>

There are hundreds of documented cases of targeted assassinations, including the case of popular activist Dr Ghulam Qadir Wani, who was assassinated on 4th November, 1998, in his ancestral village of Bandipura, along with his niece. No one has ever been brought to justice in this case. More detailed reports of such incidents are available at <http://lostkashmirhistory.com>

Amnesty International has also published many comprehensive reports over the past 20 years. <https://www.amnesty.org/download/Documents/ASA2018742015ENGLISH.PDF>

Evidence of War Crimes

Kunan Poshpora Mass Rape Case

According to a UN publication, 882 Kashmiri women were gang-raped by security forces in Jammu and Kashmir between 1990 and 1996, including the famous case of Kunan Poshpora village, district Kapwara, where it is alleged that up to 53 women were raped by the Indian army men during a search and interrogation operation on the night of 23 February 1991. No one has ever been brought to justice for this crime against humanity.

<http://www.aljazeera.com/indepth/features/2016/10/kashmir-kunan-poshpora-rapes-161020121136644.html>

The case was widely reported in the international media, claiming that the mass rape by a unit of the Indian Army's Rashtariya Rifles and 68 Mountain Brigade took place while all the men in the entire village were rounded up and taken away. Some reports claimed that up to a 100 women were victimized, including a pregnant woman. In 2013 a writ petition was filed in Srinagar high court for compensation. The court ordered J&K government to pay compensation to the victims. The government appealed against the verdict and took the case to Indian Supreme court claiming that since the allegations were against the Indian Army, a direction to the state government to pay compensation was illegal.

<http://lostkashmirhistory.com/kunan-poshpora-memory-story-toddler-fell-window/>

<http://www.caravanmagazine.in/vantage/denial-rape-soldiers-kashmir-shekhar-gupta-impunity-armed-forces>

Video evidence of inhumane treatment of unarmed civilians by Indian Security Forces during or after arrests

<https://www.facebook.com/JKLF.UK.EUROPE/videos/10154531295896360/>

<https://www.facebook.com/JKLF.UK.EUROPE/videos/10154332619576360/>

<https://www.facebook.com/JKLF.UK.EUROPE/videos/10154331856001360/>

<https://www.facebook.com/JKLF.UK.EUROPE/videos/10154329655896360/>

<https://www.facebook.com/JKLF.UK.EUROPE/videos/10154329655911360/>

<https://www.facebook.com/JKLF.UK.EUROPE/videos/10153749723286360/>

<https://www.facebook.com/JKLF.UK.EUROPE/videos/10153721483996360/>

<https://www.facebook.com/JKLF.UK.EUROPE/videos/10153652813696360/>

Abuse within Indian Army, low morale and fake encounters

In secret a secret memo, dated 2th October, 2017, the Directorate of Military Intelligence has stated that the motivation and will to fight is all time low in the 3 armed forces of India. It is not clear if this report was entire based in Kashmir but amongst the main causes listed for low motivation was ration supplies, homosexuality and discrimination. It claimed that the suicidal rate had increased from 60 per year to 100 per year.

See Appendix1 – Indian Military Intelligence Memo

On 30 April, 2010, a spokesman for the Indian Army, Lieutenant Colonel JS Brar, claimed in Srinagar that "three militants have been killed in a shootout," and that three AK-47 rifles, a pistol, some ammunition, cigarettes, chocolates, dates, two water bottles, a Kenwood radio and 1,000 Pakistani rupees had been recovered from them in the famous Machil encounter. The corpse-less triple-death inquiry was made an open and shut case. But at Banzalla police station, near Nadihal village, 30 miles from Machil, a family had turned up to a report the disappearance of their three sons: Mohammad Shafi, 19, Riyaz Ahmed, 20, and Shehzad Ahmed, 27, were missing. They had not been seen since 28 April. A murder case was registered against the 10 army officers but the Indian Army refused to produce the accused in front of any civilian court. The incident lead to widespread protests and another 113 civilians were killed in the following weeks.

Six of the accused were tried in absentia and sentenced to life imprisonment but a military court suspended their life sentence. The Indian Armed Forces Tribunal suspended the sentences given to

five of them, Colonel Dinesh Pathania, Captain Upendra, Havildar Devinder and Lance Naik Arun Kumar and Lakhmi and Hussain Shah of the Territorial Army. All were given bail and the case was eventually forgotten.

<http://www.hindustantimes.com/india-news/machil-fake-encounter-tribunal-stays-life-term-to-five-soldiers-gives-them-bail/story-bea8T1JsYv86diYm5dvERJ.html>

On 20 March 2000, 15 alleged militants entered the village of Chattisinghpura in Anantnag district. They assembled all the men and boys in the village Gurdwara, and systematically shot 34 of them. Many others were injured in the attack and died later. It was the first time ever that the Sikh community had been targeted. Five days after the events at Chattisinghpura, on 25 March 2000, Col. Ajay Saxena (later Brigadier), Lt. Col. Brajendra Pratap Singh (later Colonel), Lt. Saurabh Sharma (later Major), Lt. Amit Saxena (later Major) and Nb. Sub. Idrees Khan (later Subedar) of the Indian Army claimed that they killed five Muslim men in Pathribal village who were "foreign militants" responsible for the Sikh attack. Official police reports claimed that security forces had, after a gun fight, blown up the hut where the men were hiding, and had retrieved five bodies that had been charred beyond recognition. The bodies were buried separately without any postmortem examination. In the aftermath of the attacks, widespread protests throughout Jammu Kashmir and outrage in the international community pressured Indian government to setup an inquiry commission.

On 19 March 2012, The Central Bureau of Investigation (CBI) told the Supreme Court of India that the encounter at Pathribal was fake and staged by the Indian Army to gain American sympathies at the time of President Clinton's visit to India. On 23rd January 2014, the Indian Army closed this case claiming that there was no evidence against its officers.

https://en.wikipedia.org/wiki/Chattisinghpura,_Pathribal,_and_Barakpora_massacres
[http://www.sikhiwiki.org/index.php/Clinton%27s thoughts on the Chittisinghpura Massacre](http://www.sikhiwiki.org/index.php/Clinton%27s_thoughts_on_the_Chittisinghpura_Massacre)

Unresolved Mass Graves issue

In December, 2009 the International People's Tribunal on Human Rights and Justice in Kashmir (IPTK) published its investigative report 'BURIED EVIDENCE: "Unknown, Unmarked, and Mass Graves in Indian held Kashmir"' and documented 2,700 mass graves, containing 2,943+ bodies, across 55 villages in Bandipora, Baramulla, and Kupwara districts of North Kashmir, based on applied research conducted between November 2006-November 2009.

<http://www.kashmirprocess.org/reports/graves/>

On 2nd July 2011, an Inquiry Report of the Unmarked Graves in North Kashmir, submitted by the investigating police team to the State Human Rights Commission (SHRC) stated that most of the bodies buried in the 38 sites were unidentifiable except for the 574 of them were identified by the local Kashmiris. The Indian government had previously said that the graves held 'unidentified militants'. Following this report, the SHRC confirmed that its investigators had found 2,156 bodies buried in unmarked graves in 38 different locations. Most were young men. Many bore bullets wounds. The Inquiry Report recommended that the SHRC call for immediate DNA sampling and other forensic tests to identify the bodies by matching them with the next of kin of the people who have disappeared. 17 of the identifiable bodies in the four districts were reburied by relatives in family graveyards. The investigation found that 18 of the graves contained more than one body. Indian authorities have thus far refused to conduct DNA tests to identify the bodies. Fearing reprisal from the Indian Army consecutive puppet state governments have also avoided any further action.

According to a report published in The Citizen, on 7th November, 2017, the newly appointed head of the SHRC, Bilal Nazki, once again ordered the government to setup an ‘independent and representative’ body to unearth the truth about unmarked mass graves. The Commission acknowledged that it had received evidence of further 2080 unmarked graves in the Poonch and Rajouri districts of the Jammu province and a further 1351 elsewhere in the Kashmir valley which were uncovered by the Association Parents of Disappeared Persons.

On 6th December, 2012 The Guardian’s Jason Burk in New Delhi filed a story which quoted a human rights report naming 500 alleged perpetrators of human rights ranging from low level police officers to Indian Army generals, who were accused of point blank shooting to, abductions, torture and rape have ever been brought to justice.

<https://www.theguardian.com/world/2012/dec/06/indian-soldiers-report-kashmir-abuses>

No freedom of speech and movement

Thousands of Kashmiri families are denied permission by Indian and Pakistani authorities to have access to the other side of the ‘line-of- control’ to meet with their kith and kin. One such story was narrated in the ‘Two Circles’ magazine on 19th February 2012, of a young woman of Kapwara who has now given up hopes after 20 years of waiting for passport to be able to travel to the other side of Kashmir.

http://twocircles.net/2012feb19/kashmiri_womans_15year_wait_husband.html

Another BBC report in 2012 gave some insight into the human tragedy of divided families who live on either side of the line of control. <http://www.bbc.co.uk/news/magazine-19168219>

On 16th September, 2016, The Guardian, London, reported that Police in Indian-controlled Kashmir had detained a prominent activist and human rights lawyer, Khuram Pervez, who was about to aboard a flight to Geneva to attend a UN human rights council summit there.

<https://www.theguardian.com/world/2016/sep/16/kashmiri-activist-detained-and-barred-from-leaving-india-to-attend-un-summit>

Freedom of speech and movement is a rare commodity in the Indian occupied areas. The JKLF chairman, Yasin Malik, and many members of his and other political parties are arrested almost on a daily basis to prevent them from conducting meetings or meeting with relatives of the victims of atrocities. He has not been able to meet his own 6 year old daughter, Razia Sultana, who lives with her mother in Islamabad (Pakistan), since 2015. He has been refused travel documents by the Indian government to enable him to travel abroad to meet his family.

<http://m.greaterkashmir.com/news/kashmir/yasin-malik-writes-open-letter-to-sushma-swaraj-invokes-kulbushan-yadav-to-highlight-issues-of-kashmiris/270721.html>

It was reported by The Quint, on 28th November 2017, that even the Kashmir University had put a ban on freedom of speech and critical thinking, as detailed in the report below.

<https://www.thequint.com/amp/story/news%2Findia%2Fkashmir-university-students-protest-circular>

On 10th December, 2017, an award winning French television journalist, Comiti Paul Edward, resident of Paris, was arrested for allegedly filming UN Human Rights Day protests in Srinagar and sent to jail.

<https://www.newslaundry.com/2017/12/14/french-journalist-arrested-in-kashmir-north-korea>

Recent indiscriminate killings

In 2017 alone, according to official Indian figures, 211 Kashmiri militants and 78 Indian security forces personnel were killed during clashes leading up to December 2017. They also admitted that 55 unarmed civilians were also killed by Indian forces in this year. In contrast, the total causality figures in 2010 were 270, in 2011 they amounted to 119. Similarly, in 2012 fatal casualties were 84 and in 2013 added 100. In 2014 -15, it is claimed that 113 militant, 41 security forces and 20 unarmed civilians were killed. Since that report, 3 more innocent civilians were added to the list within a week leading up to Xmas week.

On 17th December 2017, a 22 year old Sumo driver, Asif Iqbal, was shot dead in the Thandipura village, Kapwara district, by the Indian army.

<http://www.nigahban.com/kupwara-sumo-driver-laid-to-rest-amid-sobs-tears-thousands-attend-funeral/>

On 19th December, a 24 year old Ruby (Beauty) Jan was killed in crossfire in the Shopian village. Another 40 civilians were reportedly injured in this indiscriminate firing incident.

<http://www.nigahban.com/woman-two-militants-killed-in-shopian/>

It was reported that another young woman, Misra Bano, was killed under similar circumstance in Handwara district a few days earlier.

<http://www.nigahban.com/jrl-calls-for-complete-shutdown-tomorrow-against-civilian-killings/>

On 21st December, 2017, the well known pro-Pakistan women's leader, Assiya Andrabi, was cleared of PSA charges and ordered to be released by a Srinagar Court. It was reported by the local media next day that as she left court buildings she was re-arrested by the police under new charges and sent to jail again. However, she was allowed to go home on Christmas day, along with another woman prisoner Fameeda Sofi.

<http://www.risingkashmir.com/news/dem-chief-andrabi-released-from-srinagar-jail>

Maqbool Butt mortal remains

Up to 60 Members of UK and European Parliament signed a joint letter sent to the President of India in 2014 by chairman of the APPG on Kashmir, Lord Ahmed, to appeal to him to order the release of the mortal remains of the Kashmiri leader, Maqbool Butt, who was executed in 1984 despite international outcry and buried inside Tihar jail. No response has been received. For the past 33 years, members of the JKLF in UK have been petitioning the Indian High Commissioner on his death anniversary, 11th February, every year to allow his family to remove his mortal remains to Kashmir for a proper burial. On 11th, February, 2015, the new Chairman of the APPG on Kashmir,

Andrew Griffiths MP, petitioned the Prime Minister, David Cameron, to intervene on humanitarian grounds.

Maqbool Butt is Kashmir's most revered leader of the independence movement and a former 'prisoner of conscience', who was imprisoned in Pakistan for his radical views and was labelled as an 'enemy agent' there, but ironically hanged by India on 11 February, 1984, exactly one week before his 46th birthday. He was executed inside Delhi's Tihar Jail where he had been imprisoned for 8 years awaiting trial of a politically motivated case against him.

According to Amnesty International Annual Report (1978), who campaigned for his release from prison for many years, he had been sentenced to death for a murder charge under section 3 of the 'Enemy Agents Ordinance'.

In its annual report in 1982, Amnesty International highlighted this case again and stated that "*members of political parties have been sentenced to death following conviction for murder*". The death penalty imposed on Maqbool Butt by a Srinagar High Court judge some 14 years earlier in absentia was a cause for concern to AI as there was no apparent appeal for such a sentence under that law.



Maqbool Butt (left) seen in a private meeting with Dr Farooq Abdullah (right) who signed the black warrant for his execution in 1984 as the puppet Chief Minister.

In its 2008 report entitled, 'Lethal Lottery; Death Penalty in India', Amnesty International highlighted the missing record of his appeals in the Indian supreme court and expressed concerns that "*no court judgements in his case are available*".

The Maqbool Butt story did not end in 1984 with his hanging. Indian authorities refused to hand over his body to his relatives and buried him inside Tihar jail. A petition in high court seeking permission to remove his remains to his birthplace in Trehgam, district Kapwara (J&K) was refused by India.

According to ITN news reports thousands of Kashmiris took to the streets of London to protest against Maqbool Butt's hanging in India in 1984. Maqbool Butt's two brothers, Ghulam Nabi Butt and Manzoor Butt were also killed in Kashmir in the 1990s but his 3 surviving children still live in Pakistan. With the outbreak of armed movement in J&K in 1988, Maqbool Butt's grave in Tihar jail became the most revered tomb for Kashmiri prisoners until it was reportedly desecrated by prison authorities a few years ago. For the last 33 years, his death anniversary on 11th February, has been commemorated every year on both sides of Kashmir when Kashmiri men, women and children take out protest rallies in every town and city demanding that his mortal remains should be handed over to his family for Islamic burial in Kashmir. All such pleas have so far fallen on deaf ears as did the international pleas not to execute him. Since then another Kashmiri, Afzal Guru has been hanged in India and buried in Tihar a few yards from Maqbool Butt.



Maqbool Butt (right) in meeting with then Prime Minister of Pakistan, Z A Bhutto, who was also executed by Pakistan's military regime in 1978. His eldest daughter Benazir Bhutto, while living in London in exile made a passionate plea to Indian Prime Minister, Indira Gandhi, not to execute Maqbool Butt.

<https://www.theguardian.com/commentisfree/2013/feb/10/hanging-afzal-guru-india-democracy>

Full text of the joint letter to the president of India, Parnab Mukherjee, from All Party Parliamentary Group on Kashmir

“We the undersigned members of parliament would like to appeal to your office to order the mortal remains of Kashmiri leader, Maqbool Butt, who was executed in Tihar jail, on 11th February, 1984 and buried within the jail premises, to be handed back to his family in Kashmir or to his children living in Pakistan. We make this appeal on humanitarian grounds as Maqbool Butt’s family members were not allowed to see him at the time of his execution and have waited long enough to receive his dead body for a decent burial in Kashmir.”

See Appendix 2 – names of 60 members of UK and European Parliament who signed the letter

The Sham Election Saga

India’s over 500,000 armed forces, after having slaughtered well over 90,000 Kashmiri people and made hundreds and thousands homeless. It is hardly surprising that Indian Prime Minister, Atal Bihari Vajpai’s “sky is the limit”, offer never materialized and the current Prime Minister, Narindra Modi’s hallow promise of “Insaniyat Aur Jhamooriyat” (humanity and democracy) has so far failed every test in Kashmir. .

In an extra effort to coerce uncompromising Kashmiris to cast their votes in a sham election exercise in May 1996 to gain credence and legitimacy to occupation of Jammu-Kashmir, the Indian government brought in thousands of more armed forces. After having failed to install a puppet state Legislator Assembly for 8 years the Indian security forces attempt to stage manage the polls failed miserably. The then popular All Party Hurriyat Conference (APHC) denounced Indian plans and lead a nation-wide boycott of the so called ‘Assembly polls’. Indian intelligence agencies put up armed renegades and defunct politicians to hoodwink the international opinion. All the influential APHC leaders were arrested and put behind bars. Many of them were threatened with life by ‘security forces’ and their renegade brigades. India’s world image of largest ‘democracy’ was exposed as world’s biggest military operation in Kashmir.

SOLDIERS HERD KASHMIRIS TO POLLS, 23 May 1996, CNN

KASHMIRIS VOTE AT THE POINT OF INDIA'S GUNS, 24 May 1996, The Independent

INDIAN GUNS FORCE KASHMIR VOTERS TO THE BALLOT BOX, 24 May, 1996, TIMES, London

SOLDIERS FORCE KASHMIR TO POLLS, 25 May 1996, The Guardian, London.

The veteran journalist, late Ved Bhasin, the editor of the popular daily Kashmir Times, was quoted in a BBC report as saying that the Indian “government had failed to achieve what they had set to achieve”

That election result was predicted in a study prepared by the Congressional Research Service for the U.S. Congress, which stated that New Delhi’s efforts to replicate its iron-fisted strategy used in Punjab was doomed to fail in Kashmir. That report, written by Barbara LePoer, an Asian affairs analyst with the CRS’s foreign affairs and national defense division, claimed that “Kashmir is a far more complex situation.” It predicted dire consequences as a result of Indian government decision to pour in more armed security forces into Jammu Kashmir for the ‘elections’ purposes. The report endorsed the APHC as a legitimate player in the political fabric of Kashmir, saying that not only did

its membership include about 30 organizations, including the JKLF, but also had the ability to set the trend in terms of policy that would be adapted by the Kashmiri masses.

It was India's 8th attempt to install a puppet regime in Kashmir, despite the UNSC resolution 221 of 24th January 1957, which categorically states that the State Assembly elections did not fulfill the requirement of a 'plebiscite for self-determination' and that such polls were no substitute to it. It is on this basis that the APHC leadership opposes State Assembly elections but they have made it clear a number of times that they would be prepared to go to polls to test the will of their people only if they were internationally supervised and without the coercion of the armed forces and on the basis of self-determination, which is to include the independence option. Ironically, when some of the APHC constituents did want to participate in the 1987 polls, they were massively rigged to turn the results in favor of the ruling National Conference, which gave them another reason to call for boycott of any future polls. An opinion poll conducted in Kashmir by a reputable Indian weekly magazine, **Outlook**, in October 1995, told the Kashmiri verdict in no unclear terms; 72% wanted complete independence, 80%, said elections are no answer to the problem (only 3% disagreed) and 90% of the population claimed that Indian forces were guilty of gross human rights violations.

Fast forward, 20 years later, nothing has changed in Kashmir. While gross human rights violations continued at the hands of Indian 'security forces' and by some militant groups, India has not been able to break the will and the determination of the Kashmiri people to achieve their long cherished goal for self-determination.

On 20 September, 2010, Pakistan's Tribune Express, carried an AFP story from New Delhi which quoted another poll, conducted for the Hindustan Times, which showed that 66 per cent of respondents in Jammu & Kashmir wanted "complete independence", and only 10 % were seeking merger with Pakistan.

<https://tribune.com.pk/story/49238/two-thirds-in-indian-kashmir-want-independence-poll/>

In May 2010, a Chatham House report, "Paths to Peace", quoted another opinion poll conducted by a UK based researcher Robert W Bradnock, senior visiting research fellow at King's College London, which claimed that up to 75% Kashmiris on both sides favoured independence. This was the first ever poll on the issue to be conducted across both sides of Jammu and Kashmir divided by the 'line of control'. It confirmed that more than 43 percent of the state's population wanted independence of the whole region, while support for the two options provided under the UN resolution i.e. joining India or Pakistan stood at 21 percent and 15 percent respectively.

<https://www.chathamhouse.org/publications/papers/view/109338>

The myth that is 'Azad' Kashmir

The 4 thousand square miles of the territory, officially known as Azad Jammu Kashmir (AJK), and often referred to by the international community as Pakistani 'controlled' or 'Administrated' territory hides a darker side too.

In May 1996, the New York based Human Rights Watch wrote a comprehensive report on the Human Rights situation in IOK and made many recommendations for the government of India, the protagonist militant groups and the international community. None of them have been implemented.

The JKLF, which had already declared unilateral ceasefire in the previous year, appealed to all concerned to cease hostilities and respect human rights.

<https://www.hrw.org/reports/1996/India2.htm>

10 years later, in September 2006, the same group undertook a comprehensive study of the political & human rights situation in the areas under Pakistani control called 'Azad Kashmir'.

<https://www.hrw.org/reports/2006/pakistan0906/4.htm>

It made the following 6 recommendation for the government of Pakistan but none of them have been enacted upon over the past 15 years. Evidence shows that there is no underlying will for a positive change in this region despite hefty claims by the local and Islamabad administration;

1. Release all individuals imprisoned or detained and withdraw immediately all criminal cases against anyone, including Kashmiri nationalists, for the peaceful expression of their political views, including that Azad Kashmir should be independent.
2. End the practice of arbitrary arrest and detention, other forms of harassment, and torture and other ill-treatment of persons exercising their right to freedom of expression, including those who peacefully oppose Kashmir's accession to Pakistan or demand greater autonomy for the territory.
3. Repeal constitutional curbs on freedom of association, expression and assembly in Azad Kashmir so that the constitution and Azad Kashmir law are consistent with international human rights standards.
4. Prosecute to the full extent of the law and in accordance with international standards those members of the armed forces, its intelligence agencies, government officials and police personnel implicated in serious violations of human rights, including arbitrary arrests and torture.
5. Respect press freedom and allow full independent coverage of both past and ongoing events in Azad Kashmir. Remove formal and informal prohibitions on news gathering and reporting by the Azad Kashmir and Pakistani media, and accord all journalists full freedom of movement. End the practice of banning books and literature.
6. Ensure that human rights organizations have freedom of movement throughout Azad Kashmir and allow them to carry out investigations and fact

After 70 years of a marriage of convenience, there is a widespread discontent in the Pakistani controlled areas where Pakistani security forces and intelligence agencies' obsession with controlling almost every aspects of the political and social life of the local population is on the increase as detailed below. The Gilgit-Baltistan areas of the former state of Jammu Kashmir, under direct Pakistan control, present an even grimmer picture.

While it would be grossly unfair to equate Pakistan - the other party to this unresolved legacy of the British colonial raj - with the scale of oppression and tyranny unleashed by Indian forces against independence supporters, both the countries are guilty of non-compliance with their historic obligations at the UN in terms of withdrawal and providing safety and security of life to the

Kashmiri population for the interim period. While Pakistani foreign ministry officials and other leaders regularly protest against and oppose the Indian attempts to install puppet-regimes in the areas under Indian control, they rarely pay any attention to how the Azad Kashmiri population is treated under their own nose.

The experience on the ground paints a hideous picture. There is a nominal office of the Prime Minister and the President in Azad Kashmir, which runs parallel to the political setup in Pakistan. But in reality the Azad Kashmir 'Legislative Assembly', which supposedly elects these heads of the state and seemingly enjoys political privilege of making laws, is actually handpicked by Pakistani security agencies and often dismissed at their behest for non-compliance. The installation and removal of the puppet regimes in AJK is no different to how India deals with the Kashmiri electorate under its control. Since its first formation in 1974, no one in 'Azad' Kashmir has seen, fair or impartial elections of the Legislator Assembly. Contrary to the tall claims of supporting self-determination, the AJK Interim Constitution (Act 1974) does not allow pro-independence parties the right to contest elections to represent popular aspirations. Article 7, part 2 of the AJK constitution makes it a criminal offence "to propagate against or take part in activities prejudicial to the ideology of State's accession to Pakistan". Ironically, in the preamble it is accepted that the 'future status of the J&K state is to be determined in accordance with the freely expressed will of the people of the state through a democratic method of free and fair plebiscite under the auspices of the UN"

<http://www.ajkasembly.gok.pk/ajkinterimconstitutionact1974.html>

And yet before anyone is allowed to contest the local Assembly elections, they are required to sign a declaration of allegiance to Pakistan (in support of the Accession clause). In the Indian side they are required to swear to "uphold the integrity and Sovereignty of India" after winning the election not before. As a result only those affiliated to the idea of Kashmir's accession to Pakistan or India are allowed to win these so called elections.

According to this constitutional absurdity, all elected candidates, and even the Prime Minister and the President, are required to take oath to remain loyal, not to their electorate but to Pakistan, which is deemed to be an occupying power in the UN resolutions. The specified oath reads, "I will remain loyal to the country and to the cause of accession to Pakistan".

During the June 1997 elections in Azad Kashmir - where over two million voters from Gilgit-Baltistan are not allowed to even vote, despite a Azad Kashmir Supreme Court ruling, some 34 candidates from the pro-independence alliance 'Kashmir National Alliance' were excluded from contesting elections on the basis that they did not sign the controversial 'allegiance declaration' with their nomination papers. When they protested and appealed against this very unfair practice, their appeals were rejected and all of them were arrested for 'breach the peace' offences. It is no surprise to anyone that only those individuals acceptable to New Delhi or Islamabad are elected to the rubber-stamp puppet Assemblies on both sides. The JKLF and other nationalist groups, therefore, continue reject these electoral processes and refuse to take



part in the contest, as they argue that any Legislative Assembly Member ‘elected’ in such a way can hardly claim to represent his people. Those who do get elected, have the sole mission in life to enjoy government perks, and are widely seen as ‘subservient’ elite. Many of them privately admit that their role is detrimental to the movement for self-determination, including former Prime Ministers.

Even with this incongruous rule in place, the truth behind what happens in AJK elections was revealed by a former President, Sardar Yaqoob Khan, in his book ‘Yaqoob Se Yaqoot’ and reported on September 2, 2016 in an Urdu language newspaper, Dharti.

The Daily Dharti, published from his home town, Rawalakot, carried the lead story attributed to this former President with quotes from his book claiming that he had knowledge of a secret service officer who personally decided to whom the ‘Muslim Conference assembly tickets’ should be given to during the 2006 elections. He was referring to Pakistan army’s intelligence services division, the ISI. In the story and in his book, Yaqoob Khan, expressed resentment at the fact that an ‘agency’ officer once called him to his office and held him locked up for 4 hours to tell him that he should quit politics or suffer the same consequences as did late Benazir Bhutto and Nawaz Sharif. He didn’t make clear if this happened while he was the President. This is the same president whose name was used to ban a number of books, booklets and even maps in Azad Kashmir in early 2016, apparently without his knowledge or consent (see later for details).

Another former president and leader of the said Muslim Conference, Sardar Sikandar Hayat is on record as saying that the reason he was retiring from politics was that he was “too old to climb the GHQ stairs in Murree”. GHQ being the headquarters of Pakistan army division that handles the Kashmir affairs from the hilly resort of Murree , an obvious reference to Pakistan army’s control on Azad Kashmiri leaders.

Some of the above sordid stories, which point to lack of political freedom and strict controls, were highlighted in the Emma Nicholson report, which was passed by the European Parliament on 24th May 2007 but was dismissed by Pakistan as one sided.



The full story of nepotism and corruption within the AJK elite remains largely hidden.

<https://www.outlookindia.com/website/story/eu-report-rattles-pakistan/233329>

Many of the ‘electable’ Azad Kashmiri politicians whose sole interest in politics is to make money are affiliated to one or another Pakistani mainstream party. While it is inconceivable for a non-Kashmiri political Party to win power in the IOK State Assembly elections, it is the only way the Azad Kashmiri politicians are able to reach the prize of being Prime Minister or President. Every time a Pakistani party is allowed to form government in Islamabad, its affiliated group of cronies in AJK is able to take power through sham elections, where candidates are vetted and approved by secret service agencies as explained above.

The basic problem in AJK stems from the fact that the leaders of the Kashmiri political party, Muslim Conference, who parted away from Sheikh Mohammed Abdullah during the 40s, won the

power prize by standing with Pakistan on the question of Accession in AJK. Most notable was the first Presidential election of Azad-Kashmir, where Sardar Ibrahim Khan, who allegedly signed the 1949 'Karachi Agreement' to hand over most of the state powers to Pakistanis. Incidentally, during his 1993 tour of UK as the President of Azad Kashmir, in a meeting with a JKLF delegation in Watford, vehemently denied that he ever signed the 'Karachi Agreement'.

Control by the 'Kashmir Council' and 'Lent Officers'

Until 1957, Muslim Conference - Working Committee was allowed to elect the Presidents of Azad Kashmir, who had the highest executive and legislative authority vested in this office. In 1960 a counter power in the form of AJK Council comprising of 24 members was formed to be directly elected by popular ballot. This council is used as a rubber stamping body to implement the decisions made by its chairman, the Prime Minister of Pakistan.

In 1964 AJK Government Act was enacted, which was later replaced by the AJK. Government Act 1970, and then replaced by the current AJK Interim Constitution (Act 1974) by the Pakistani military regimes without any reference to the Kashmiri electorate or to the local legislator.

The AJK Council which was initially an elected body became a 'selected' body with half of its members opted from Pakistan's National Assembly and the Prime Minister of Pakistan became its de- facto chairman. This Council, which allegedly, approved the controversial Karachi Agreement, has been assigned all important functions of Internal Security, Foreign Trade and Currency to the Government of Pakistan, leaving the AJK government powerless.

Under the current Karachi Agreement arrangement, a third layer of control, and probably the most effective, is established by the appointment of Pakistani nationals known as 21 Grade 'Lent Officers' to oversee the running of AJK affairs. While the AJK PM is able to issue official appointment letters he has no powers in the selection processes. While a federal ministry of Kashmir Affairs exist in Islamabad but it is the Pakistani Prime Minister who has the ultimate power to appoint the Chief Secretary to the AJK government as well as the Inspector General of Police, the Finance Secretary (Accountant General). All of these bureaucrats, based in Islamabad, have the powers to summon any AJK government minister to their office and overwrite any decisions taken by them. No Kashmiri citizen has ever been deemed trustworthy or fit for appointment to these key offices and despite protests from the 'electable' political groups no change is likely to take place.

<https://www.dawn.com/news/1230414>

While the Interim Constitution (Act 1974) does not allow the Kashmiris to promote, project or even opt for any ideology within AJK other than that of "Accession of Kashmir to Pakistan", it also renders the government incapable and impotent at the international level, giving it sole purpose of drawing ministerial salaries and MLAs securing development funds, which are often used for personal development.

Section 31 subsection (3) of the Act categorically states that:

Neither the Council nor the Assembly shall have the power to make any law concerning:

1. The responsibilities of the government of Pakistan under UNCIP resolutions.
2. The defense and security of AJK.
3. The current coin or the issue of any bills, notes or other paper currency.

4. The external affairs of AJK, including foreign trade and aid.

It is abundantly clear that the process of 'Azad Kashmir Assembly' election is fundamentally flawed and in conflict with democratic norms as the prerequisite for candidates to swear allegiance to an occupying state is in conflict with the popular sentiments in the state. As if this was not enough to enable full control of the population, another layer of electoral fraud is introduced in the Interim Constitution.

Out of the 48 member Assembly, 12 seats are designated for over half a million Kashmiri refugees permanently settled in mainland Pakistan, which are usually awarded by the ruling party in power to their most favoured AJK politicians to help them win the top seat in the Assembly. In return that individual is then required to sing the master's tune no matter what, as is the case currently. Another 8 members are later selected without any reference to the electorate. This way, in the 48 member Assembly, at least 20 seats are secured to keep the balance of power in favour of the most flexible individual who is prepared to bend backwards to help Islamabad suppress the free will of Azad Kashmir population.

This opens the door for rampant corruption, horse-trading, nepotism at the cost of self-respect and self-determination. A number of Kashmiri nationalist organizations have publically called for election rules to be changed as did the Human Rights Watch report, so that they are able to take part in the elections without any pre-conditions. This was reported in on 16 December 2016 in the popular daily, Dawn, but completely ignored by the ruling elite.

<https://www.dawn.com/news/1271202>

Controversial Presidential Election

The trust deficit between the Kashmiri electorate and the Pakistani controlling authorities has widened immensely in the past decade, despite international calls for electoral reforms echoed by Pakistan's own Human Rights Commission.

According to the Interim Constitution (1974), Section 5 Part 4c, "No person shall be qualified for election as President unless his name appears on the electoral roll prepared for election of the members of the Assembly". But following the Assembly elections in 2016, the current President, Masood Khan, was elected on 16 August, when his name was not to be found on the AJK electoral register anywhere. Not only Masood Khan never took part in any of the electoral processes in AJK during his adult life but he did not even cast his vote in the latest election as he was not duly registered for voting purposes.

However, when it comes to Pakistani national interests, the constitutional arrangements do not mean much. On Aug 9, 2016 a larger bench of the AJK High Court allowed Masood Abdullah Khan to contest the Presidential election as the nominee of the ruling Pakistan Muslim League (PML-N).

He was chosen for this role because of his impeccable service for Pakistan's foreign office, both as its Ambassador to China and as its permanent representative to UN for 5 years.

Despite the fact that Masood Khan had never taken interest in the affairs of his people and never took part in the electoral processes in AJK in the past, he was duly elected by majority vote of the puppet Assembly. The sole reason why he was chosen for this role was not because of any service to AJK people but because he had a life time record of serving Pakistani interests as did his Uncle Ibrahim Khan, who was the first President of AJK and who allegedly signed a treaty with Pakistani

authorities in 1949 to let them administer the GB territories, which are now claimed by Pakistan as integral part just like India claims J&K to be its integral part because of an alleged treaty with the Maharajah, Harry Singh, in 1948.

Since being elected, Masood Khan, has been to the UK, USA and Europe 6 times in one year at the expense of the Kashmiri tax payer, where he mostly met with Pakistani community or Pro-Pakistani MPs arranged by the Pakistan High Commission – to curse Indian occupation and gain favourable headlines in the Pakistani media only to fool his own people by claiming that he was “gaining international support for the Kashmir cause”. Little does he realise that as he and the Prime Minister of Azad Kashmir are under oath to promote Pakistani occupation contrary to their claims for ‘self-determination’ no one takes them seriously except for the Kashmiri nationalist lobby, which considers his office instrumental in perpetuating Indian and Pakistani hold on their country.

It is also worth noting that while he served as Pakistan’s permanent representative to the UN for over 4 years and even chaired a SC meeting once, he never actually raised the ‘Kashmir Question’ there during his tenure and never advised the AJK government as to how to take its case forward internationally. He was in the UK on the day when UK government withdrew her nomination for a UN ICJ judge in favour of India. Instead of allowing sympathetic members of UK parliament to raise questions with the foreign secretary on the floor of the house, he diverted them to a usual photo session with Pakistani High Commissioner in the House of Commons for the sake of Pakistani media for domestic rating. While he was here for a week in November, 2017, his fourth trip in 12 months, the Kashmir Liberation Cell in Rawalpindi issued the following expenses claim authorisation, which amounted to over £7000. This unrecorded claim was in addition to his presidential expenses claim for travel abroad.

See Appendix 3– President’s claim of expenses from Liberation Cell (Urdu)

While no AJK president has been allowed to visit or have contacts with any one from G&B territories, he is constitutionally obliged to appoint a *Plebiscite Advisor* in accordance with Section 11 (Interim Constitution 1974). For the last half a century this obligation has consistently been overlooked by all appointees to this office.

Rampant corruption and fraud

Early in the 1990s, a centrally controlled funding body, called Kashmir Liberation Cell, was setup by the government of Pakistan to provide financial support to pro-Pakistan protagonists for their international diplomatic efforts for the ‘Kashmir Cause’. In early 2010, this Cell became a reason for litigation against a number of US based Kashmiri activists, who were charged with breaking the ‘foreign agent’ laws.

In 2014, a weekly newspaper (date unknown) published the following report stating that the then Prime Minister, Chaudhry Abdul Majeed had been paying from anything from 20,000 to 74,000 Rupees per month salaries to 72 of his party workers in AJK and around the world. Apart from appointing 28 Ministers in his cabinet, he had appointed these 72 party members as ‘special advisors’ to help keep him in power. He pompously lead the AJK section of the Pakistan People’s Party (PPP).

See Appendix 4 – full list of names and salaries paid from Liberation Cell

While no other details are available of how this special fund has been used or abused by the politicians who are supposedly elected to protect the interests of their people, there is another example available of how these Presidents, Prime Ministers and their cabinet Minister have been abusing Zakat Fund for their foreign trips and personal medical care.

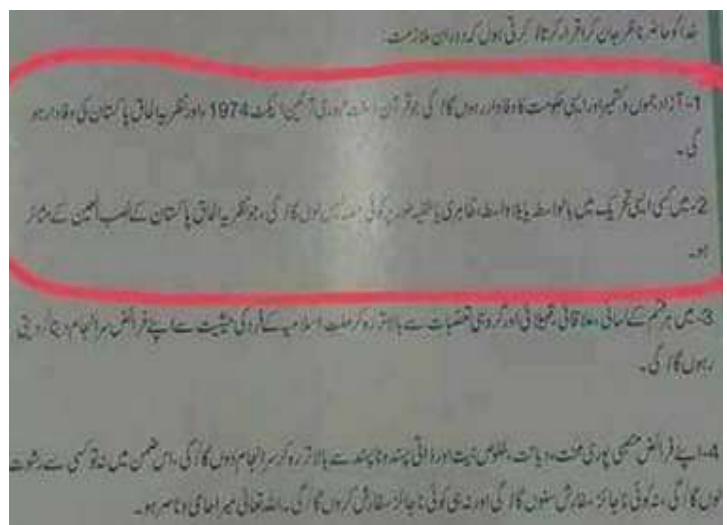
On 22nd December, 2014, the daily Jang, London published a report naming 8 former Presidents and Prime Ministers (with pictures), who had abused millions worth of government budget allocations. It was reported that the AJK Government Zakat Fund, dedicated for the poor and needy, was used for their personal or a close relative's medical treatment overseas. Some of the ministers, MLAs and government officers, including some judges, were also named in this report as having drawn from this fund with permission from the state treasury. The highest amount in billions was used by the longest serving Prime Minister and President, Abdul Qayyum Khan, who was also a frequent visitor to UK and Europe. Some of those who used this money have explained that it was not the actual Zakat Fund but the bank interest accrued on it was used. In accordance with Islamic laws, Zakat Fund cannot be mixed with banking interest and hence any interest accrued government accounts cannot be used for the poor and the needy. Instead of investing this budget allocation in Islamic Funds, the treasury allowed the money to be deposited in the traditional banks, and then cream off the 'Haram' interest for personal use when it could have been used for building infrastructure or for hospitals and schools for the good of their people.

See Appendix 5 - Daily Jang, London, Report

It is exactly for this reason, and not because of conviction, that the 'corrupted mafia' joins politics in AJK. Their sole purpose in life seems to be to enjoy government perks by simply agreeing to swear to safeguard Pakistan's interests in the region. As long as they are able to do just that no question are raised in terms of their legal, moral or political standing. In return for these perks, they also ensure that the nationalist activists in AJK, who often challenge their moral character, are not given government jobs. When these people come to power they remove the existing nationalist employees to replace them with their own cronies.

While the employment situation remains dire in AJK, there is an effective ban on Kashmiri nationalists from obtaining government service jobs. It is a widespread practice to use government jobs as political awards or bribes in AJK. Contrary to the Section 4, Part 17 of the Interim Constitution ("No state subject otherwise qualified for appointment in the service of Azad Jammu and Kashmir shall be discriminated against in respect of any such appointment on the grounds of race, religion, caste or sex"), the Kashmiri nationalists holding different political views are often discriminated against and deprived of government jobs for their views.

Opposite is a copy of the discriminatory declaration form (written in Urdu), which is used to block any nationalists from taking teaching jobs in government schools. They are required to sign the declaration which states;



- 1) ... I will only serve any government that supports the idea of 'Accession to Pakistan'
- 2) ... I will not take part, openly or secretly, in any movement, which does not support 'Accession to Pakistan'

If you wish to uphold your unfettered right to self-determination and do not accept this proposition in the declaration you will not be offered the job.

In 2010, the Chatham House Survey, reported that 'unemployment' was a strong bone of contention across the territory - 66% on the Pakistani side and 87% on the Indian side.

<http://www.bbc.co.uk/news/10161171>

This report also suggested that the broad percentages on both sides of the LoC may have been similar but masked wide geographical or social differences in attitudes. Despite the complexity, some conclusions were very clear. 81% said unemployment was the most significant problem facing the Kashmiris. Government corruption was at 22% in AJK and 68% in Indian J&K, poor economic development was 42% AJK, 45% J&K, human rights abuses were cited at 19% in AJK and 43% J&K. The Kashmir conflict itself was seen as major problem (24% AJK, 36% J&K). 80% of Kashmiris on both sides said that the resolution of the dispute was very important to them personally.

This was again confirmed in February 2012 in Waqas Ali's report "The Impact of Conflict on Young People in AJK", published by the Centre for Peace, Development and Reforms (CPDR) and Supported by Conciliation Resources, UK.

http://www.c-r.org/downloads/IPK_youthreport_WaqasAli_web.pdf

AJK Ban on Freedom of Expression

On 24th February, 2016 the 'Home Department' of the AJK government, issued a Presidential Order Notification to all police stations to confiscate 24 books, booklets and even maps that had been published by a nationalist activist Mohammed Saeed Asad over several years. All of these publications were either about the story of Kashmiri struggles or stories of partition. One of them was a booklet written by no other than Maqbool Butt (Shaheed) himself, narrating the thrilling story of his escape from a Srinagar jail in 1968. The Mirpur based publisher and writer of some of these booklets, Saeed Asad, was dismissed from his teaching job and all the books were removed from book stores. Another self-employed printer and publisher, Mohammed Rafique (Khawaja) and his colleague Talat Butt were arrested and imprisoned under treason charges (see details later). One of the two UK based writers of these books, Dr Shabir Chaudhry, has since been declared 'persona-non-grata' by Pakistani intelligence agency, and according to an Asian Human Rights report, they have blocked the renewal of his AJK citizenship ID causing him immense problems with regards to free travel and property matters in AJK. He has recently claimed that even his none-political daughter is being victimized and has not had her ID renewed. He has launched a costly high court battle in Islamabad but his fears that apex courts in Pakistan rarely step out of line from directions from intelligence agencies is not without foundation.

<https://scroll.in/article/805113/meanwhile-in-pakistan-occupied-kashmir-books-on-azadi-continue-to-be-banned>

<http://m.greaterkashmir.com/news/front-page/separatists-aghast-over-ban-on-pro-independence-books-in-pak/211410.html> **see Appendix 6 – Book Ban Order**

Newspapers and journalists have been under attack in Indian occupied areas frequently. The latest victim was the Kashmir Reader, an English Daily, published from Srinagar, which was banned by Indian authorities in October, 2015

<http://www.bbc.co.uk/news/world-asia-india-37559679>



But in so called Azad Kashmir, freedom of expression does not come without a cost. On August 24, 2017 the offices of the Rawalakot-based Urdu daily, *Majadla*, were raided by the city administrator on government orders and sealed. It is claimed by the owner, and chief editor, Haris Qadeer, that the publication of a survey report, a day earlier was the real reason behind the police action. He says that he duly applied for the authorization when the publication started two years ago to the local DC office, who is obliged to issue the authorization certificate under the Press & Publications Ordinance within 4 months of the application or furnish with refusal reasons. In the absence of a refusal notice the default authorization is assumed in accordance with the PPO regulations. It was also evident from the AJK government Information Department advertisements in the paper on 14th August, 2017 that his publication was legal.



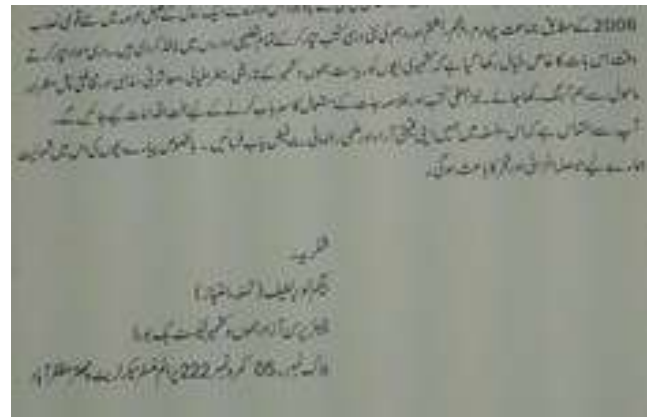
<http://thekashmirwalla.com/2017/10/censorship-in-pak/>

Their survey report they didn't like was conducted by a British Kashmiri, Tanveer Ahmed, who sampled 10,000 respondents with a number of socio political questions that showed overwhelming discontent with Pakistani control. Over 70 percent of the AJK state subjects wanted independence for the entire State. The survey also claimed that 73% of Azad Kashmiri population preferred their 'Kashmiri' identity as opposed to 27% who favoured 'Pakistani' identity. This news was too much for the puppet regime to digest and hence the newspaper was shut down under the pretext of not complying with registration rules. This is a classic example control by controlled media.

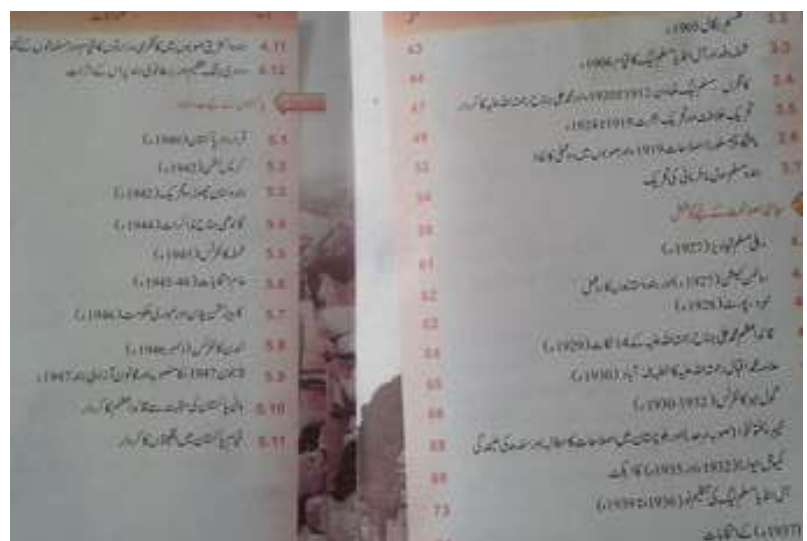
Systematic distortion of history and brain washing processes

The story of controlling Kashmiri people's mind and thinking does not end here. There is a systemic and long-term planning to disconnect Kashmiri youth from their history and heritage. The AJK Textbook Board (schools) is a prime example of how the AJK government institutions are used to erase the Kashmiri history from the educational curriculum to replace it with the very biased and controversial 'two nation' theory, which was a dominant factor in the formation of 'Pakistan' as a nation state with Islamic ideology that did not find or strengthen its root in J&K and is not even applauded in many parts of Pakistan today.

The claims of heads of such ‘national institutions’ pretending to be ‘Azad’ fall flat on their face when it comes to practical measures. Take the example of the Chairperson of the AJK TextBook Board, Mrs Tanweer Latif, responsible for the design of the primary and secondary curriculum up to class ten. In an introductory paragraph for the sixth class History book (Urdu), she states (pic opposite) “in preparation of these text books special care has been taken to familiarise Kashmiri children the history, geography, cultural, social and religious aspect of the Jammu Kashmir state”.



Tragically, the rest of this book covers in some detail the history of India and Pakistan conflict from 1905 to 1947 in all its 5 chapters (picture below). There is not a single word in the entire book regarding the history of Kashmiri struggles, or the formation of J&K state, or the 300 year old history as a sovereign state.



It is not simply a case of incompetence but highlights the bona fide dogmatic and subservient nature of AJK institutions in the Public Sector. Other history and geography books for later classes continue to obliterate Kashmiri history. This book written by a retired Professor, Aftab Ahmed Dar, also begs other question about the ethical and educational standards practices in AJK.

Ironically, the story of the conflict between East and West Pakistan, which gave rise to the formation of Bangladesh, finds little reference in these history books approved by the Federal Government of Islamic Republic of Pakistan.

Murder, Torture, False Imprisonment, and involuntary disappearances

Sher Khan Murder

The tombstone of a young a Kashmiri man Sher Khan, buried in Smawal Sharif, in Mirpur district begs questions about mysterious murders that have been covered up or remain uninvestigated all over AJK.

Popularly known as General Sher Khan Azad, son of Chaudry Alam Din, of Mehndir - Poonch District (IOK) crossed over to AJK in the early 90s with JKLF cadres but was not able to



return back for many years. His friends claim that as a political activist he became disillusioned with the armed movement and started questioning Pakistan Army's strategy in public. On 17th June, 2009, his dead body was returned to his family by the local police and asked to bury him quietly. While questioning the cause of his death, his family and friends who suspected a foul play revealed that he had been taken by the Pakistani intelligence agency personnel a few days earlier.

A local journalist in Mirpur, on the condition of anonymity, recently revealed that when several political organizations in Mirpur started agitating against his killing and refused to bury him without proper investigation, the Supreme head of the Kashmiri Mujhideen, Syed Sallahuddin arrived from Rawalpindi and asked his family to stop agitating and bury him with honor as a 'martyr'. The press was told in no unclear terms by the intelligence agency, locally known as 'Farishtay' (angels of death) not to print any story regarding this incident. No police investigation took place and no FIR was ever registered in any police stations against his mysterious death.

Qazi Khushal Khan Kidnapping

Many more mysterious deaths have occurred in AJK since 1990s but there no investigation record or cause of death record maintained in the local police stations.

Since the advent of internet and social media, it has been impossible for the authorities in AJK to keep these involuntary disappearances secret. On 16 October, 2012, the BBC world service was able to reveal the story behind such mysterious disappearance. The BBC report quoted a 35 year old school teacher, Shahnaz Akhtar, who lives in a refugee camp in the capital Muzaffarabad, that her husband, Qazi Khushal, was arrested near an army post in the first week in October.

She claimed that a friend of her husband called her to tell her that he was admitted in the local hospital with severe torture marks. She claimed that when she went to see him in the hospital, two men in plain clothes rushed towards her and stopped her from talking to him and pushed her out of the ward. "I went there again the next morning but his bed was empty. No-one has told me what has happened to him or where he was taken.", She told the BBC.

<http://www.bbc.co.uk/news/world-asia-19969097>

Arif Shahid Murder Case

On 16th May, 2013, Sardar Arif Shahid, head of a pro-independence Kashmiri party, opposed to Pakistani rule, was gunned down near his home in Rawalpindi, by unknown assailants. His party workers and protesters on the day of his burial carried banners and shouted slogans against Pakistani agencies, who continue to deny any hand in his killing.

<http://www.bbc.co.uk/news/world-asia-22559730>

Pakistani intelligence publicly accused of kidnapping

By Zulfiqar Ali
BBC Urdu, Islamabad

© 16 October 2012

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A woman in Pakistani-administered Kashmir has taken the unusual step of publicly accusing the intelligence services of kidnapping her husband.

Shahnaz Akhtar said her husband Qazi Khushal was arrested near an army post two weeks ago. The reasons for his apparent detention are unclear.

Correspondents say such detentions are not uncommon, but few affected by them have dared speak out so publicly.

An intelligence official said he was "not aware" of the case details.

Few such cases are reported to the police - or challenged in the courts -



Ms Akhtar has not been able to access Pakistan's intelligence



Sardar Arif Shahid was an outspoken critic of Pakistan's Kashmir policy

The Pakistani authorities in Islamabad banned him from travelling abroad in 2009, and confiscated his passport and other identification documents. The Ministry of Interior told Islamabad High Court in December 2012 that his documents had been confiscated due to his "anti-state activities and on the recommendation of the director-general of the ISI intelligence service".

<http://www.bbc.co.uk/news/world-asia-21614733>

<http://www.sharnoffsglobalviews.com/shahid-kashmir-063/>

<https://www.youtube.com/watch?v=sZfGvyE3Eao>

At the time of his murder he was facing treason charges for publishing a fortnightly magazine "Naya Kashmir", which was banned by a Police Order No. 14/DCO/Press, Dated 17/03/2012. Five years on, no one has been arrested for his murder as the police investigation has not been concluded.

<https://www.groundreport.com/justice-4-arif-shahid-campaign-castigate-pakistani-authorities-for-heir-failure-to-investigate-targeted-killing-of-kashmiri-nationalist-leader/>

<https://www.youtube.com/watch?v=cSug4uai0aI>

Mohammed Ali Murtaza Murder

On Sunday, 17th February 2015, a facebook activist, Mohammed Ali Murtaza, was making his way to his cousin's home in Janjot Bahadur (Khuiratta) of Kotli district . He was allegedly picked up by a Pakistan officer army in Chattar. He was carrying a Pakistani Id card showing his address in Lahore but he had claimed to be a Kashmiri hailing from Kotli district, he was taken for interrogation on that fateful evening never to return again.

<http://tanveerandkashmir.blogspot.co.uk/2013/02/the-gruesome-murder-of-un-armed-ajk.html?m=1>

<https://www.youtube.com/watch?v=mTOEriVeDhQ>

His family reported him missing to the local police. Two days later on, 19th February, the Deputy Commissioner (DC) of Kotli, Masood ur Rehman, informed Ali's family of his death. His corpse was handed over to the family by a Pakistan Army officer, accompanied by the DC. The family was first informed by the army that he died by Indian army firing and offered to bury him with military honor as a martyr. But while performing last rites, it was noticed that there were no gun shots on his body but instead there were torture marks, which raised questions as to what had happened to him. It was then decided by his family not to bury him in secret as the army had requested but to take pictures and seek answers. It was not until a week later, when some Kashmiri newspapers (picture below) defying the unofficial ban decided to break the story and published the gruesome pictures of Ali's tortured corpse with many questions. This was only made possible because a cousin, Amjid Choudhry, the Chief Editor of a popular daily 'Sada e Chinar', refused to go quiet. While the story became public knowledge in AJK and demands for a public inquiry grew against Pakistan Army, the Pakistan mainstream media maintained complete blackout.



When the protests spread throughout Azad Kashmir and into the Diaspora community in UK, the Pakistan army promised an investigation to bring the culprits to justice. 3 Years on, no one has been punished and no investigation report has been made public.

[Pakistan army begin probe into Kashmir 'torture' death - BBC News](#)



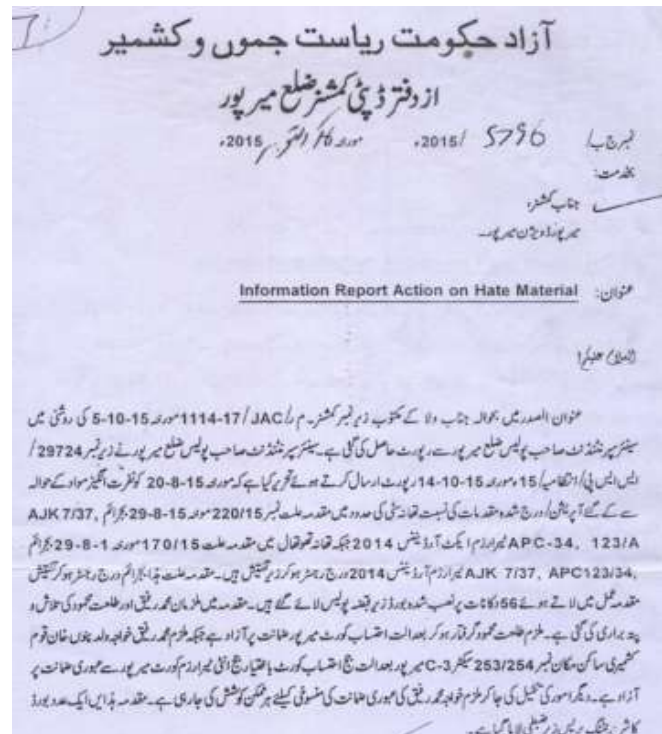
Muhammad Ali Murtaza Shahed Martyred By Pakistan Army. Drilled dead body is showing brutality of occupied Pakistani Army. The Man was kidnapped by Pakistani Army from "chattar Khoiratta" where he visiting to his sister M Ali Murtaza was a hafiz e Quraan and very simple young man 27 years old from kodli (Pakistani Held Kashmir)

Mohammed Rafique & Talat Mahmood case

Following the publication of a book sanctioned by KNP leaders in 2014, which gave details about the mysterious killing of Sardar Arif Shahid, its printer Mohammed Rafique Khawaja, became the first victim of the newly announced ordinance known as the AJK Anti-terrorism Law (2014).

On 24th October, 2014, two days after hosting a seminar on the issue of Pakistani invasion of Kashmir, his printing press in Mirpur was raided by the Police and all copies of the said book along with other printed material were confiscated. He was arrested and put behind bars for several months until a writ petition was filed in the High Court by a local lawyer Raja Zulfiqar Khan. He was allegedly questioned by intelligence agencies before his arrest and during his arrest and tortured for two weeks in custody. As there was no evidence of terrorism against him he was eventually released after nearly six months in custody.

According to an Asia Human Rights Commission report and Mirpur DC Information Report his printing press was raided again on 5th October, 2015 and he was re-arrested on 8th December, along with his colleague Talat Mahmood for allegedly printing hate material. He was released on 31st December, 2015.



Rafique, ran the Kashmir Friendship Club and a printing press 'Kashir Printers', which was his soul source of income for his family. He also acted as the overseas representative of US Library of

Congress. He says he received credible threats to his life and feared worst for his family and decided to flee the country under cover. He is currently seeking asylum in Srilanka with his wife and 3 school age daughters.

See Evidence 7 a, b – Asian Human Rights Report

The sons and daughters of leaders of pro-independence parties in AJK are not spared from persecution. Sardar Liaquat Hayat, who heads the pro-independence National Awami Party, and who has been arrested many a time for his views on the independence issue, suffered a blow last year when his son, Danish Laiqat and his friend Adeem Altaf (pictured), were arrested on August 14, 2016 and imprisoned in Trarkhal, District Sudhanuti, for allegedly desecrating the Pakistani flag. Both are university graduates but have not been able to find employment because of their affiliation with the independence movement.

100s of youngsters from this and other areas of AJK have had to flee the country to escape persecution. Many of these Kashmiri youngsters are now settled in the UK and Europe and many more are still actively seeking political asylum.



Abduction of Raja Nazam, Advocate







پیش قدم نمبر 5-24 (1)

بھائی اعلیٰ ریاست نسبت دوم لال دست لڑائی پھنس ریاست لہور دی دہر 54

بریل نمبر: ORW-SEK-000210 نمبر: 210/17 قسط: نمبر: گروہ: 1

1	عمر: 36 سال	تاریخ: 24-04-2017 10:05 AM	6	قسط: 14
2	نام: راجہ نازم	تاریخ: 10-3-17	7	قسط: 14
3	تاریخ: 12-3-17	8	قسط: 14	365
4	تاریخ: 14-3-17	9	قسط: 14	365
5	تاریخ: 16-3-17	10	قسط: 14	365

ASI: 149HC قسط: 149HC

A political activist, father of three young children and a lawyer by profession, Raja Nazam (pictured above) from Khoirata, Kotli district was allegedly abducted by Pakistani agencies from Gujranwalla (Pakistan), on 10th April, 2017. A missing report was filed with local police but 8 months later there is no news of his whereabouts. According to his wife's press statement on 11th May, his mobile phone had started working after a couple of weeks but when the Pakistani police was informed of this they made no apparent effort to locate him.

Nightmare in the Neelum Valley

Situated in the North East of Muzafarabad, Neelum Valley, is one of the poorest districts of AJK. It is about 144 km narrow belt surrounded by mountains on both sides. It has a total population of about 0.2 million but over the past 20 years over 5 dozen people have been reported missing, most of them in the last few years.

<http://www.ahrchk.org/ruleoflawasia.net/news.php?id=AHRC-STM-129-2017>

<http://www.bbc.co.uk/news/magazine-19168219>

<https://thecriticinternational.wordpress.com/2017/09/28/over-two-dozen-people-are-missing-from-neelum-valley-ajk/>

The most affected village is Falakan where ten people of the same family are missing. This village suffered many extra judicial killings during 90's and early 2000. In the 2nd week of September, 2017, nearly a100 kids from the Lesawa village blocked the local roads to protest against the enforced disappearances of their parents. The Pakistani media did not cover these protests.

On 6th October, 2017 the Hong Kong based, Asian Human Rights Commission, reported further protest demonstrations in the Neelum Valley against the Pakistani Army and its Intelligence Agency, the ISI.

On September 21 another protest was organised at Athmuqam, the district headquarters of Neelum valley and on September 29, a hunger strike was observed in Muzaffarabad but none of these stories were reported in the local and Pakistani newspapers in its proper context. Some newspapers headlines portrayed that the protests were against Indian atrocities. The activists who organised these protests claim that their loved ones had been arrested, tortured and charged with terrorism or being Indian agents, under the recently announced National Action Plan (NAP) by the government of Pakistan.

The AHRC claims that Frontier Works Organisation (FWO), a construction company belonging to the Pakistan army, has built detention centres in the bordering areas and that's where these missing people are being kept for indefinite periods.



We have video evidence available for private viewing from eyewitnesses and the victims in the area. The evidence of some of these historical protests and news stories were exploited on the Indian TV channels and are now available on Youtube as listed below.

[Truth about Pakistan Occupied Kashmir : Atrocities of Pakistan on citizens of POK - YouTube](#)

<https://www.youtube.com/watch?v=AB1I2878Qg8>

<https://www.youtube.com/watch?v=qvsi-yPmmwo>

<https://www.youtube.com/watch?v=2Fvrw0hgz3U>

<https://www.youtube.com/watch?v=qvsi-yPmmwo>

<https://www.youtube.com/watch?v=TIB3CBUq8BY>

https://www.youtube.com/watch?v=_2wLcRN-eKQ

Human tragedy at LOC and casualties

In a book published in 1996, Dr Pauline Dawson, called the UN Military Observer Group (UNMOG) stationed on both sides Kashmir ‘the peace keepers of Kashmir’. We beg to disagree.

On 30 March 1951, following the termination of UNCIP, the UN Security Council, by its resolution 91 decided that UNMOG should continue to supervise the ceasefire in Kashmir. Its functions were to observe, investigate and report complaints of ceasefire violations and to submit its findings to each party and to the Secretary-General.

When India and Pakistan armies clashed in October, 2014, the Indian authorities claimed that they had to move 5,000 people to government shelters in Jammu to save them from Pakistani firing but the Pakistani army said 12,000 villagers had to be evacuated.

<https://www.theguardian.com/world/2014/oct/08/india-pakistan-kashmir-border-clashes>

But the full extent of bloodshed and loss was never made public.

<https://tribune.com.pk/story/655387/dream-deferred-a-kashmir-refugees-longing-for-home/>

<https://m.indiatimes.com/news/asia/miserable-eid-for-divided-kashmir-families-94297.html>

<http://m.c-r.org/news-and-views/multimedia/journey-through-river-vitasta>

While a documentary film shot on both sides of the Line of Control (LoC) tells the tragic stories of how families have been split up and continue to suffer the aftermath of partition, some of the BBC



stories of how civilians on both sides suffer casualties on a daily basis when Indian and Pakistani armies exchange fire on a regular basis are worth studying.

<http://www.bbc.co.uk/news/world-asia-india-29547567>

<https://www.theguardian.com/world/2014/oct/08/india-pakistan-kashmir-border-clashes>

<http://www.bbc.co.uk/news/world-asia-india-29532066> civilians flee

<http://www.bbc.co.uk/news/world-asia-india-29502054> 9 civilians killed on loc

<http://www.bbc.co.uk/news/world-asia-22559730>

<http://www.bbc.co.uk/news/world-asia-21614733>

<http://www.bbc.co.uk/news/magazine-19168219>

While the UNMOG remains stationed in the area, there is not a single day that passes in peace at the Kashmir Line of Control. According to the Indian claims, Pakistan army was accused of violating ceasefire violations 724 in 2017 and 449 in 2016. Pakistani military counter attack claims double the figures of Indian violations.

Hunan Rights in G & B

While there is widespread support for the Kashmiri peoples' right to self-determination in the Indian occupied areas, there is no one in Pakistan prepared to vouch for the people in the areas under its direct control, known as Gilgit, Baltistan, Diameer and Skirdu. Like the Indian-held Ladakh territory vastly unpopulated G&B region was outlying 'frontier' districts of the state of Jammu Kashmir ruled by the Maharaja, where special laws such as the Frontier Crimes Regulation remained in force until early seventies and some of the more draconian powers were enforced through a bureaucratic administration until 2001.

In 1949, over two million subjects of the former state of Jammu & Kashmir, resident in these areas lost their rights as citizens of the state after a puppet regime setup in AJK signed the controversial Karachi Agreement. Pakistan on principle rejected such an accord signed with India by the self-style 'head' of the state as he did not have a proper mandate from his people, known as the of 'Instrument of Accession', allegedly signed by the Maharaja, Hari Singh, in favor of India on October 26, 1947. They have convenient used the Karachi Agreement to take the above strategic areas known as 'Northern Areas' into federal system without a mandate from its people.

In recent years, rights activist, scholars and students and even members of the government selected 'Northern Areas' Council have grown restless and while Kashmiri politicians in Indian occupied areas have restrained themselves to passing references to these areas their counterparts in Azad Kashmir have displayed a noticeable resentment against the impasse.

In a historic judgment in March 1993, after two years of deliberations, the AK High Court, in response to a petition moved for the integration of the said territories back into AJK, asked the Pakistan government to prove its legal authority and claim to hold the 'Northern Areas' under Federal administration. The court simultaneously directed the AK government to take over the administration. By implication, it held the AJK government and the individuals responsible for handing over these territories to direct Pakistani control were guilty of neglect.

While Pakistan's Prime Minister, Nawaz Sharif, assured the JKLF leader Yasin Malik, in a letter dated, 18th March, 2016, that his government was committed to a solution through the UN and would not harm the Kashmir cause but he signed the ground breaking CPEC cooperation agreement with

China to build super highway through this region connecting China to Pakistan's Gwadar seaport without any reference or consultation with Kashmiri leaders or the people of G&B.

See Appendix 8 – Prime Minister Nawaz Sharif Letter

After 70 years of control by the Pakistani government, some of the local population openly wants to be either accepted as a Federal province, merged with AJK or acquire equal rights as an independent state. In the recent months the Awami Action Committee (AAC), a coalition of 23 religious and political groups behind the current protests, is demanding that there be "no taxation without representation".

Many people in these areas are irks by the only reference in textbooks to these areas as "the land of glaciers". "We call it a 21st-century colony," said Israr-ud-Din Israr of the Human Rights Commission of Pakistan. "

More than 250 people have been tried in the anti-terrorism courts, alongside the 300 or so political cases that have been held in conventional criminal courts. Iftikhar Hussain, 34, has been in a Gilgit city prison awaiting trial in an anti-terrorism court for nearly three years, even though the special courts are required to sentence convicts within 90 days of an arrest.

He is one of 36 men charged with 'terrorism' and 'sedition' stemming from a 2011 protest by locals demanding compensation promised to them by Pakistan after a massive landslide had destroyed their villages. When police trying to clear the protest killed two men, riots erupted across the entire region and locals destroyed more than 17 government buildings including police stations.

In an Aljazeera report, Mr Hussain, who was not involved in the riots, was one of more than 100 people arrested. He says that for nearly a month he was tortured by investigators who included officers from Pakistan's intelligence agencies.

<http://www.aljazeera.com/indepth/features/2014/06/gilgit-baltistan-rebels-against-pakistan-201462984334940614.html>

<http://nation.com.pk/14-Jun-2016/baba-jan-s-recognition-as-the-voice-of-gilgit-baltistan-is-threatening-the-agenda-of-the-powers>

<https://tribune.com.pk/story/428330/disputed-territory-lawyers-oppose-g-bs-accession-to-pakistan/>

A respected political activist, **Baba Jan** and 11 other activists of Gilgit Baltistan were sentenced to life imprisonment by an anti-terror Court in Gilgit city, on 25th of September 2014. He has been sentenced due to his activism against the oppression in the region. The Anti-Terrorism Courts proved that Gilgit-Baltistan is governed by colonial structures of power.

<http://www.thefridaytimes.com/tft/free-baba-jan/>

<http://nation.com.pk/14-Jun-2016/baba-jan-s-recognition-as-the-voice-of-gilgit-baltistan-is-threatening-the-agenda-of-the-powers>

An eyewitness report on the plight of these and other prisoners in G&B is attached separately.

Broken Promises

Pakistan's founder leader, Quid-e-Azam Mohammad Ali Jinnah, is on record stating that " ... with the termination of paramountcy, Indian (independent) states would be free to join either the Hindustan Constituent Assembly or the Pakistan Constituent Assembly or to remain independent...." (Policy Statement issued June 17, 1947)

" The second question that is engaging the attention of the Muslims of Kashmir is whether Kashmir is going to join the Constituent Assembly of Pakistan. I have already made it clear more than once that the Indian states are free to join either the Pakistan Constituent Assembly or the Hindustan Constituent Assembly or to remain independent..." (Press Statement July 11, 1947)
". .. The legal position is that with the lapse of paramountcy on the transfer of power by the British, all Indian States would automatically regain their full sovereignty and independent status. They are, therefore, free to join either of the two Dominions or to remain independent...." (Press Statement July 30, 1947)

Chief of Indian UN Delegation G. S. Ayengar, " Whether she (Kashmir) should withdraw from her accession to India and either accede to Pakistan or remain independent with a right to claim admission as a member of the United Nations all this we have recognized to be a matter for unfettered decision by the people of Kashmir...." (Declaration at the Security Council Jan. 15, 1948)

The first Indian Prime Minister, Pandit Jawaharlal Nehru, commented, "Kashmir has been wrongly looked upon as a prize for India or Pakistan. People seem to forget that Kashmir is not a commodity for sale or to be bartered. It has an individual existence and its people must be the final arbiters of their future" (Speech in All India Congress Committee on July 9, 1951)

Zulfiqar Ali Bhutto, former President and Prime Minister of Pakistan, " ... History has shown us that no right of self determination can be achieved by proxy.... if the people of Jammu Kashmir want their independence, if they want to be liberated ..., if they want to be free people in fraternity and friendship and comradeship with Pakistan, they will have to give the lead and we will be with them no matter what the consequences." (Speech in the National Assembly, July 14, 1972)

Mohammad Nawaz Sharif (Prime Minister of Pakistan), " ... I made it very clear that, of course, the right of self-determination means that let the Kashmiris decide as to what they want. This right of self-determination if exercised by the kashmiris, of course, they have every right to decide whether they want to join Pakistan, they want to be independent or they want to join India "
(Interview with BBC in Tehran: Broadcast 2010, 2200 hrs on Feb 18, 1992)

Is there a solution?

In the meantime we would like to stress that the way forward for peaceful and just solution can only be found through a meaningful dialogue between India, Pakistan and the Kashmir representatives elected for the purposes of carrying out such negotiations.

The UK parliamentarians, the European Union, and the United Nations must endeavor to facilitate a conducive, backchannel environment for such a meaningful dialogue process to take place. In view of the increased and almost daily exchanges of fire across the ceasefire-line in Jammu Kashmir between the Indian and Pakistani armies, and the resultant loss of civilian life and property, we call upon you to stress on the governments of India and Pakistan to abide by the 2003 ceasefire agreement. And to call on the UNSC to empower the UNMOGIP to enforce strict ceasefire so that daily life is not disrupted for the local population.

We ask you to urge Indian and Pakistan officials to speed up the documentation processes for Kashmiri families who have been separated to be able to visit their relatives with safety and security and remove the humiliating procedures which require these families to obtain Indian or Pakistani passports. In this respect, we think it would help if Kashmiri leaders such as JKLF Chairman, Yasin Malik were designated UN "Protected Personality" to enable them to travel abroad for Medical treatment as well as to interact with international institutions without fear of persecution. As a confidence building measure all hurdles that are put in place to prevent leaders and ordinary people from bilateral contacts between the people of Azad Kashmir, Gilgit Baltistan, Kargil, Ladakh and Jammu Kashmir must be eased and eventually removed.

All special powers and black laws introduced recently or historical in the IOK and POK (as discussed above) must be brought to international standards and conformity and both countries should be urged to ratify the UN Convention on Torture. In the meanwhile, all political prisoners facing politically motivated charges should be freed and long-term prisoners rehabilitated, including the recovery and return of missing persons on both sides of the LOC.

We think it would help if the 'State Subject' law (Jammu Kashmir Notification No. I-L/84 dated 20th April, 1927) was re-introduced and implemented in Gilgit Baltistan as is the case in J&K and in AJK and the Indian attempts to provide residential status to none Kashmiris, including the building of colonies for the Security forces and their families in J&K must be halted.

The government of Pakistan must be called upon to implement the Human Rights Watch recommendations to prove its claims of supporting the Kashmiri rights for self-determination instead of plundering AJK resources in terms of hydal power projects, mining of minerals and diamonds and reforming of the 1974 interim constitution act of AJK, to bring it in line with the popular aspirations and wishes of the people under its control.

The All Party Parliamentary Group on Kashmir must insist on an inquiry by the Foreign Affairs Select Committee on the UK government's historic and prospective role in bringing about lasting peace in the region. The International Development Department must also be asked to put Kashmir on the agenda for their development work and we think it will be helpful if a delegation of the APPG was to meet with the UN Human Rights Commissioner to work out ways round Indian and Pakistani refusal to allow independent monitoring.

We thank you for your continued support and look forward to working with you in the future.

Signed: Azmat Khan

Appendix 1 – Indian Army

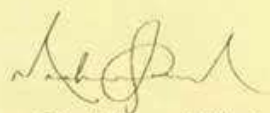
 **SECRET**

Directorate of Military Intelligence
PsyOps Deptt
Sena Bhavan, Delhi.

No 071/Gen/Psy/Ops-1 29 Oct 2017

**PRESENT STATUS OF MOTIVATION AMONG
PERSONNEL OF INDIAN ARMED FORCES**

1. Directorate of Military Intelligence was tasked to gauge the current status of motivation among personnel of the Indian Armed Forces vide Vice Chief of Army Staff Secretariat tasking order no 902/VCAS/Gen/Ops-1 dated 23 July, 2017.
2. This Directorate has undertaken an intensive study based on documented evidences and intel reports for the period of Sep 2012 to Oct 2017. Following are the findings:-
 - a. Motivation and will to fight is at an all time low among personnel of all three armed forces.
 - b. The five main causes of demotivation among armed forces personnel include:-
 - (1) Scarcity of allied facilities and dry ration at forward locations, especially Kashmir.
 - (2) Exponential increase in cases of homosexuality (**532 cases** involving officers and **2267 cases** involving soldiers during the last 5 years).
 - (3) Inadequate welfare of families of officers / soldiers who die in battle.
 - (4) Discrimination among officers and soldiers on the basis of religion and Hindu caste system.
 - (5) Severe manhandling of soldiers by superior Officers.
 - c. It is pertinent to mention here that due to aforementioned reasons, rate of suicide among personnel of armed forces has also risen from 60 per year in 2012 to over 100 per year in 2017.
3. Detailed report with year wise statistical data is attached at **Appendix A** to this letter.
4. Forwarded for perusal of DG (MI).


Brig Vikram Malhotra
Deputy Director General
Psy-Ops Wing

Copy to:-

1. MoD (D) Plans-I
2. VCAS Secretariat (Ops)
3. Adjutant General (Coord)

SECRET

Appendix 2

<u>Sir Gerald Kaufman, MP (Manchester)</u>	<u>Lord Nasir Ahmed</u>
<u>David Ward, MP (Bradford)</u>	<u>Lord Qurban Hussain</u>
<u>Debbie Abrahams, MP (Oldham)</u>	<u>Lord Bill McKenzie</u>
<u>Gavin Shuker, MP (Luton)</u>	<u>Baroness Beverley Hughes</u>
<u>Shabana Mahmood, MP Birmingham</u>	<u>Lady Sarah Ludford, MEP</u>
<u>Fiona McTaggart, MP (Slough)</u>	<u>Phil Bennion, MEP</u>
<u>Kelvin Hopkins, MP (Luton)</u>	<u>Sajjad Karim, MEP</u>
<u>Andrew Stephenson, MP (Pendle)</u>	<u>Linda McAvan, MEP</u>
<u>Yasmin Qureshi, MP (Bolton)</u>	<u>Arlene McCarthy, MEP</u>
<u>John Hemming, MP (Birmingham)</u>	<u>Timothy Kirkhope, MEP</u>
<u>Chris Leslie, MP (Nottingham)</u>	<u>Glenis Wilmott, MEP</u>
<u>David Nuttall, MP (Bury)</u>	<u>Rebecca Taylor, MEP</u>
<u>Vernon Coaker, MP (Gedling)</u>	<u>Edward McMillan Scott, MEP</u>
<u>Simon Danczuk, MP (Rochdale)</u>	<u>Paul Nuttall, MEP</u>
<u>Stephen Timms, MP (EastHam)</u>	<u>Afsal Khan, MEP</u>

<u><i>George Galloway, MP (Bradford)</i></u>	<u><i>Julie Ward, MEP</i></u>
<u><i>David Blunkett, MP (Sheffield)</i></u>	<u><i>Ian Austin, MP (Dudley)</i></u>
<u><i>Steve Baker, MP (Wycombe)</i></u>	<u><i>Andrew Griffiths, MP (Burton)</i></u>
<u><i>Richard Harrington, MP (Watford)</i></u>	<u><i>Jonathan Lord, MP (Woking)</i></u>
<u><i>Graham Stringer, MP (Manchester)</i></u>	<u><i>Sarah Champion, MP (Rotherham)</i></u>
<u><i>Lucy Powell, MP (Manchester)</i></u>	<u><i>Paul Bloomfield, MP (Sheffield)</i></u>
<u><i>Dave Anderson, MP (Blaydon)</i></u>	<u><i>Richard Fuller, MP (Bedford)</i></u>
<u><i>John Cryer, MP (Leytonstone)</i></u>	<u><i>Linda Riordan, MP (Halifax)</i></u>
<u><i>Kate Green, MP (Stretford)</i></u>	<u><i>Lillian Greenwood, MP (Nottingham)</i></u>
<u><i>Julie Hilling, MP (Bolton)</i></u>	<u><i>Philip Davies, MP (Shipley)</i></u>
<u><i>Stuart Andrew, MP (Pudsey)</i></u>	<u><i>Jason McCartney, MP (Colne Valley)</i></u>
<u><i>Craig Whittaker, MP (Calder Valley)</i></u>	<u><i>Simon Reeve, MP (Dewsbury)</i></u>
<u><i>Alec Shelbrooke, MP (Rothwell)</i></u>	<u><i>Nick Dakin, MP (Scunthorpe)</i></u>
<u><i>Hillary Benn, MP (Leeds C)</i></u>	<u><i>George Moody, MP (Leeds W)</i></u>
<u><i>Khalid Mahmood MP, (Birmingham)</i></u>	<u><i>Mike Wood, MP, (Batley & Spen)</i></u>

Appendix 3 – President of AJK expenses to UK claim from Liberation Cell

سیکرٹری
صدر آرمی امور

4318
10/11/17

0411: قون
0406: فیس

عنوان:
جناب صدر آزاد جموں و کشمیر کا مجوزہ دورہ UK از مورخہ 18 تا 23 نومبر 2017

Jammu and Kashmir Self Determination Movement Europe کی دعوت پر برطانیہ دورہ پر تشریف لے جا رہے ہیں۔ مجوزہ دورہ کے لیے بذیل وفد ہمراہ ہوگا:-

(1) لیفٹیننٹ کرنل رائے کاشف امین، ملٹری سیکرٹری۔
(2) منادر جسم، فنی ڈائریکٹر انٹارمیشن۔

2- جناب صدر آزاد جموں و کشمیر کے دورہ برطانیہ از مورخہ 18 تا 23 نومبر 2017 پر اٹھنے والے اخراجات کل مبلغ 1108049/- (گیارہ لاکھ آٹھ ہزار اچاس) روپے متوقع ہیں (گوشوارہ اخراجات الف ہذا ہے) کی اضافی فراہمی کیلئے محکمہ مالیات سے تحریک کی گئی۔ محکمہ مالیات نے بروئے مکتوب نمبر مالیات رجسٹر 17290/2017 مورخہ 10 نومبر 2017 (نقل الف ہے) پر ایسی تحریر کیا ہے کہ اضافی فنڈز کی عنوان بالا تجویز جناب سیکرٹری کشمیر لبریشن سیل کے توسط سے محکمہ مالیات کو ارسال فرمائی جائے۔

3- اندر میں حالات تحریر ہے کہ جناب صدر آزاد جموں و کشمیر کے دورہ UK کیلئے محکمہ مالیات سے اضافی فنڈز کی فراہمی کیلئے سیکرٹری کشمیر لبریشن سیل کی جانب سے تحریک فرمائی جائے۔

(محمد طاہر خان)

جناب سیکرٹری کشمیر لبریشن سیل

please prepare case for
FD

18

Appendix 4 – List of political workers who received salary from Liberation cell

تحریک آزادی کے لیے بنائے گئے لبریشن سیل کے فنڈز سے تنخواہیں لینے والے وزیراعظم کے کوآرڈینیٹروں کی تنخواہوں کی لسٹ

20,000	باغ	راجہ یونس	34
20,000	بھمبر	راجہ گل پھان	35
20,000	کراچی	نذیم اکرم ایڈووکیٹ	36
20,000	بھمبر	علی اصغر راسب ایڈووکیٹ	37
20,000	مظفر آباد	میر الطاف	38
20,000	باغ	عمر حیات	39
20,000	کوٹلی	محمد شریف خان	40
20,000	نیم	امتیاز قریشی	41
20,000	نیم	ارشاد خان	42
20,000	مظفر آباد	فوزیہ حبیب	43
20,000	بھمبر	محمد سلیم	44
20,000	گجرات	چوہدری چاندیا اختر	45
20,000	راولپنڈی	رحمان سلیم	46
20,000	کوٹلی	شوکت حسین	47
20,000	پٹیاں بالا	راجہ صفحہ لطیف	48
20,000	کوٹلی	راجہ بھگتیر خان	49
20,000	ایبٹ آباد	اشتیاق احمد بٹ	50
20,000	کوٹلی	سرور محمد امجد خان	51
20,000	راولپنڈی	راجہ مشتاق احمد	52
20,000	پانچ	اسحاق میر	53
20,000	پانچ	محمد الیاس خان	54
20,000	مظفر آباد	چوہدری انجیل اقبال	55
20,000	کوٹلی	چوہدری نور محمد	56
20,000	گجرات	چوہدری مسعود احمد	57
20,000	پانچ	خان محمد شرف	58
20,000	بھمبر	چوہدری ریاست علی	59
60,000	بھمبر	راجہ شوکت	60
20,000	سواتی	سرور شوکت علی	61
20,000	مظفر آباد	فرید محمد بڑی	62
20,000	بھمبر	محمد اسلم	63
20,000	مظفر آباد	ممتاز سلیم	64
20,000	باغ	امتیاز حسین شاہ	65
20,000	پانچ	پرویز خان	66
40,000	کراچی	میر اقبال شہیری	67
50,000	مظفر آباد	عارف مغل	68
40,000	لاہور	مصطفیٰ چنید	69
40,000	سواتی	نارہم	70
20,000	بھمبر	نثار قریشی	71
20,000	مظفر آباد	فرید عازی	72

کوآرڈینیٹرز اور ان کی تنخواہوں کا چارٹ			
نمبر	نام کوآرڈینیٹر	بمقام	تنخواہ
1	چوہدری عظیم حسین	کوٹلی	74082
2	ملک میر زمان	کوٹلی	40,000
3	خان بشیر احمد	راولپنڈی	30,000
4	ساجد زہد ذوالفقار علی	بھمبر	60,000
5	راجہ صفحہ علی خان	باغ	50,000
6	چاویہ یعقوب خان	سواتی	40,000
7	سرور امتیاز احمد	پانچ	40,000
8	چوہدری شایان	برطانیہ	50,000
9	راجہ مسعود خان	برطانیہ	50,000
10	راجہ فضل الرحمن	برطانیہ	40,000
11	محمد بشیر برطانیہ	بھمبر	40,000
12	محمد راشد سلام	راولپنڈی	40,000
13	راجہ نیل اختر	باغ	20,000
14	حافظہ شہیر	پانچ	40,000
15	چوہدری قارون	بھمبر	40,000
16	چوہدری اورنگزیب	بھمبر	40,000
17	پرویز اختر وادان	مظفر آباد	40,000
18	بشارت افضل	مظفر آباد	40,000
19	نصیر منظور	کوٹلی	40,000
20	سرور منظور عاصم	سواتی	40,000
21	ریکس انگلانی	سواتی	40,000
22	پرویز اکبر	کوٹلی	30,000
23	خالد قارون	بھمبر	30,000
24	مقبول کوری	کوٹلی	30,000
25	حسن بھٹو مسعود	لاہور	30,000
26	فرحت عباس کاظمی	کوٹلی	30,000
27	الہیہ کفایت	راولپنڈی	30,000
28	رقیہ خانم	بھمبر	30,000
29	صوفی امجد بکر	راولپنڈی	20,000
30	طارق محمود مغل	نیم	20,000
31	سرور نیل	سواتی	20,000
32	طاہرہ حمزہ	بھمبر	20,000
33	امیر قاتل	کوٹلی	20,000

اصل سرکاری افسران اور ان کے اہل خانہ بھی غرباء کے فخر سے مستفید ہوئے، مگر سب نے اشرافیہ کے چہرے سے نقاب الٹا دی، حکومتوں نے اسلامی اصولوں کی دھجیاں بکھیریں اور اخلاقی معیار بھی روند ڈالے، ناقدین



راجدة القرمين

پے اور سابق وزیر
ہزار چار سو تیس
رج اعلیٰ سرکاری
کے اس فنڈ سے
راؤ کشمیر خواجہ نذیر



سردار شفیق احمد

میں اسی لمحہ میں دیا
انجیئر طارق محمود
میں ہزار ایک سو
وزیر خواجہ فاروق
میں ہزار دو سو تیس
میں ہزار تین سو

میں اسی غرض سے
لنگی کی گئی۔ آزاد
میں آزاد کشمیر کے



م. فاروق حیدر

جیج معالجہ کے نام
رقم سابق صدر
نہان اور ان کے
جیج پر خرچ ہوئی
نے اپنے علاج

یوم نے اپنے علاج
مہارت کے تین دور
کروڑ ترچین لاکھ اشہ
آئے اور بولوں صرف

ہاتھ رکھنے والوں میں سے
 ۲۰ فیصد سے پانچ لاکھ
 کے بیچ انھیں حسین
 و اکملیس روپے
 چار کروڑ میں سے

نے اس دور میں علامہ
سب سے بڑی را
دار محمد عبدالقیوم خان
اجزاء کے علاوہ
دار خلیق احمد خان

موجودہ اور
قانون کو ذاتی
حکومت کے
حالیہ کی سہولتیں



دارق فاروق
نوں، شریعت
افسران کے

یہاں (آزاد کشمیر کی) برقی حکومتوں پر زکون

یہاں (آزاد کشمیر کی) برقی حکومتوں پر زکون

جمع زکوٰۃ فتنہ
خرچ کیا جا رہا
نئے آنے والی

سب اور رولہ
ریاستی سیاستدانوں
لیس سمیت بعض

10

10

1001

1001

Appendix 6 a - AHRW reports

12/13/2017

Asia Human Rights Commission



ASIAN HUMAN RIGHTS COMMISSION

ASIAN HUMAN RIGHTS COMMISSION - URGENT APPEALS PROGRAMME
Urgent Appeal Case: AHRC-UAC-010-2017
March 03, 2017

PAKISTAN: Government victimizes human rights activist for publishing book on assassinated Kashmiri freedom fighter

ISSUES: Freedom of expression, human rights defender, torture, right to life

ASIAN HUMAN RIGHTS COMMISSION - URGENT APPEALS PROGRAMME
Urgent Appeal Case: AHRC-UAC-010-2017

03 March 2017

PAKISTAN: Government victimizes human rights activist for publishing book on assassinated Kashmiri freedom fighter

ISSUES: Freedom of expression, human rights defender, torture, right to life

SEND AN APPEAL LETTER

Dear Friends,

The Asian Human Rights Commission (AHRC) has received updated information that a prominent activist from Pakistani Kashmir, Mohammad Rafiq Khawaja, who is also Editor of an Urdu daily, is under State repression. He is being victimised for standing up for the rights of the struggle of Kashmiris and for bringing to light the murder of prominent Kashmiri leader Arif Shahid.

All of Mr. Rafique's printed books were confiscated a month before official announcement, and the office and press have remained sealed since 2014, due to which he has incurred losses amounting to Pak Rupees three million. Mr. Rafique and his office assistant were arrested, kept in a private detention center, and tortured for several days. He was charged with the newly promulgated Anti-Terrorism Ordinance and Anti-State element, being the first person in the state booked under the newly promulgated anti-terrorism ordinance.

He has remained, throughout this, as the representative of the United States Library of Congress, Overseas Office, at Mirpur, Azad Kashmir.

The Pakistani State authorities are threatening him and his family with dire consequences.

CASE NARRATIVE:

<http://www.shrshk.org/ruleoflawasia.net/news.php?id=AHRC-UAC-010-2017>

1/5

Appendix 6-b

Asia Human Rights Commission

Mr. Mohammad Rafiq Khawaja, son of Pinoo Khan, resident of Mirpur, Azad Jammu Kashmir, runs his own printing press by the name of "Kashar Printing Service" and has been struggling for the cause of the independence of Kashmiri people on both the sides – Indian occupied and Pakistani occupied Kashmir – for the past several decades, using his organisation, Kashmir International Friendship Club, for this purpose. He has also worked as Editor of the daily "Apna Dais." Due to his affiliation with the cause of the Kashmiri freedom struggle, he has been victimised by the State; this has forced Mr. Rafique to seek asylum abroad.

In 1997, due to his relentless efforts for the cause of Kashmiri people, and the resultant threat to his life Mr. Rafique was granted refugee status by the UNHCR in Hong Kong. However, unfortunately, due to unforeseeable circumstances he had to return to his country as his mother was on deathbed, at the time. (Please click to learn more about his asylum.)

Again, a new wave of State repression began when he established his publishing house. On 22 October 2014, Rafiq organised a black day against the anniversary of the occupation of Pakistani side Kashmir by the Pakistani forces in 1948. His organisation, Kashmir International Friendship Club, held a protest day and a seminar. The Azad government of the state of Jammu and Kashmir issued an ordinance on July 7, 2014, with the name of Azad Jammu and Kashmir Anti-Terrorism Ordinance, 2014. Mr. Rafiq was made as the first victim to the Ordinance.

He was arrested twice, in 2014 and 2015; under this ordinance at least three Police Stations have arrested him on the same charges, however the courts have released him on bail as the government has not provided substantiated evidence. He is still facing trial in different courts that do not have the courage to exonerate him from all charges.

In the 24 October 2014 seminar, a book on the murder of famous Kashmiri intellectual, Mr. Arif Shahid, titled "why Arif Shahid was launched.

Please find here the link about the urgent appeal issued on Arif Shahid's murder; <http://www.humanrights.asia/news/urgent-appeals/AHRC-UAC-073-2013>

The book sheds light on the reason behind his murder and exposes the nefarious designs of the State against the Kashmiri leaders. The book attracted the ire of the State and establishment. Two days later, on 24 October 2014, the police raided Mr. Rafique's office, without warrant, and took away 800 copies of the book. Mr Rafiq has already filed a case in the court for their recovery. Later on, the book was banned, on 7 November 2014, throughout Pakistani Jammu and Kashmir, vide the order of the Prime Minister of AJK.

The book was written by one exiled Kashmiri writer, Mr. Shabbir Choudry, Chairman of the All Parties National Alliance (APNA) and president of the Jammu Kashmir National Liberation Conference (JKNLC), who has been declared by the Pakistani government as Anti-Pakistan and a traitor, for which Rafiq received a remuneration of two lacs Rupees. It is pertinent to note that several books authored by Mr. Arif Shahid, were also seized. (Please see attachment for accessing notification about the book ban.)

The Thotal police and intelligence agency officials, who confiscated the books, again conducted a raid, a year later, on 29 August 2015. Mr Rafiq's printing press, under the pretext of implementation of action against hate speech as enunciated in National Action Plan (NAP). The NAP was issued by the Government of Pakistan under the instruction of the Pakistan Army to combat religious sectarian based terrorism after the attack on the Army Public School in December 2014, by the Taliban. However in Pakistani Kashmir Mr. Rafiq was made the first victim of NAP, whereas he has been always declared by Muslim fundamentalists as an infidel and non-believer.

Mr Rafiq, along with his composer Mr Talat Mehmood, was arrested under section 123 of Azad Jammu Kashmir Penal Code and Section 37 of AJK anti-terrorism Act that prescribes 5 and 10 years imprisonment respectively. Section 123 of the Penal Code is related to anti-state elements and 37 belongs to the newly formed Anti-Terrorism Ordinance.

Mr. Rafiq was arrested, even though Bail before arrest was pending to be heard on 20 August 2015. During the arrest, Rafiq was tortured for two weeks in police custody; a week prior to the raid he was picked by the agencies and tortured for a week; subsequently he was released.

By year 2016, his son's office had also been sealed by the police, and the agencies began threatening Mr. Rafiq's family with dire consequences. Mr. Rafique's printing press is sealed to date; the press has been in business for the past 30 years. The foreclosure of his office has deprived Rafiq of his livelihood and he is unable to feed his family. He has incurred a loss to the tune of Pak Rupees three millions. His children's future is also jeopardised, as he is unable to pay their school fee.

The State, through its intelligence agencies, which are very active in the Kashmir Valley, has continued to operate against the activists; it has pushed Mr. Rafique using various pressure tactics. Non bailable arrest warrant have been issued against him in multiple frivolous cases. Rafiq is scared for his life and has requested international bodies to help him and his family seek refuge.

<http://www.ahrchk.org/ruleofflawasia.net/news.php?id=AHRC-UAC-010-2017>

Appendix 7 – Book Ban Order in AJK

	Azad Govt. of the State of Jammu & Kashmir Home Department *****		
Muzaffarabad, 24 th February, 2016			
NOTIFICATION.			
No. Home/H-2(13)15/Admin, In exercise of the powers conferred by Section 23 of the Azad Jammu & Kashmir Council, Registration of Printing Press and Publication Act, 1991, the President of Azad Jammu & Kashmir has been pleased to accord approval to impose ban on purchase, sale, import and exhibition of following books in whole Azad State of Jammu & Kashmir with immediate effect and all the copies of the same be confiscated from the market under above mentioned law, if founded anywhere in AJ&K:-			
Sr.#	Title	Edition	Author
1	Jammu Kashmir Book of Knowledge	English	Muhammad Saeed Asad
2	Wounded Memory	English	*
3	Kashmir and the Partition of India	English	Dr Shabbir Chaudhry
4	Jammu Kashmir Book of Knowledge	Urdu	Muhammad Saeed Asad
5	Kashmiriat (Part One)	Urdu	*
6	Knowledge of Jammu and Kashmir (Questions and Answers)	Urdu	*
7	Sri Nagar Jail Sy Farar Ke Kahani	Urdu	Muhammad Maqbool Butt
8	Kashmir Salateen Ke Ahad Maen	Urdu	Mohib Ul Hassan
9	Maqbool Butt (The Life and Struggle)	Urdu	Shams Rehman
10	Masila-e-Jammu and Kashmir	Urdu	Professor Muhammad Arif Khan
11	Main Kaun Hoon	Urdu	Muhammad Maqbool Butt
12	Masila-e-Kashmir (Talekh Haqaeq)	Urdu	Dr Shabbir Chaudhry
13	Mirpur Pr Jb Qayamat Toot Pari	Urdu	Bal Kay Gupta
14	Kashmir Tarekh Ky Aeny Maen	Urdu	Professor Muhammad Arif Khan
15	Guide Map of Poonch Division	English	Muhammad Saeed Asad
16	Map of Jammu Kashmir State	English	*

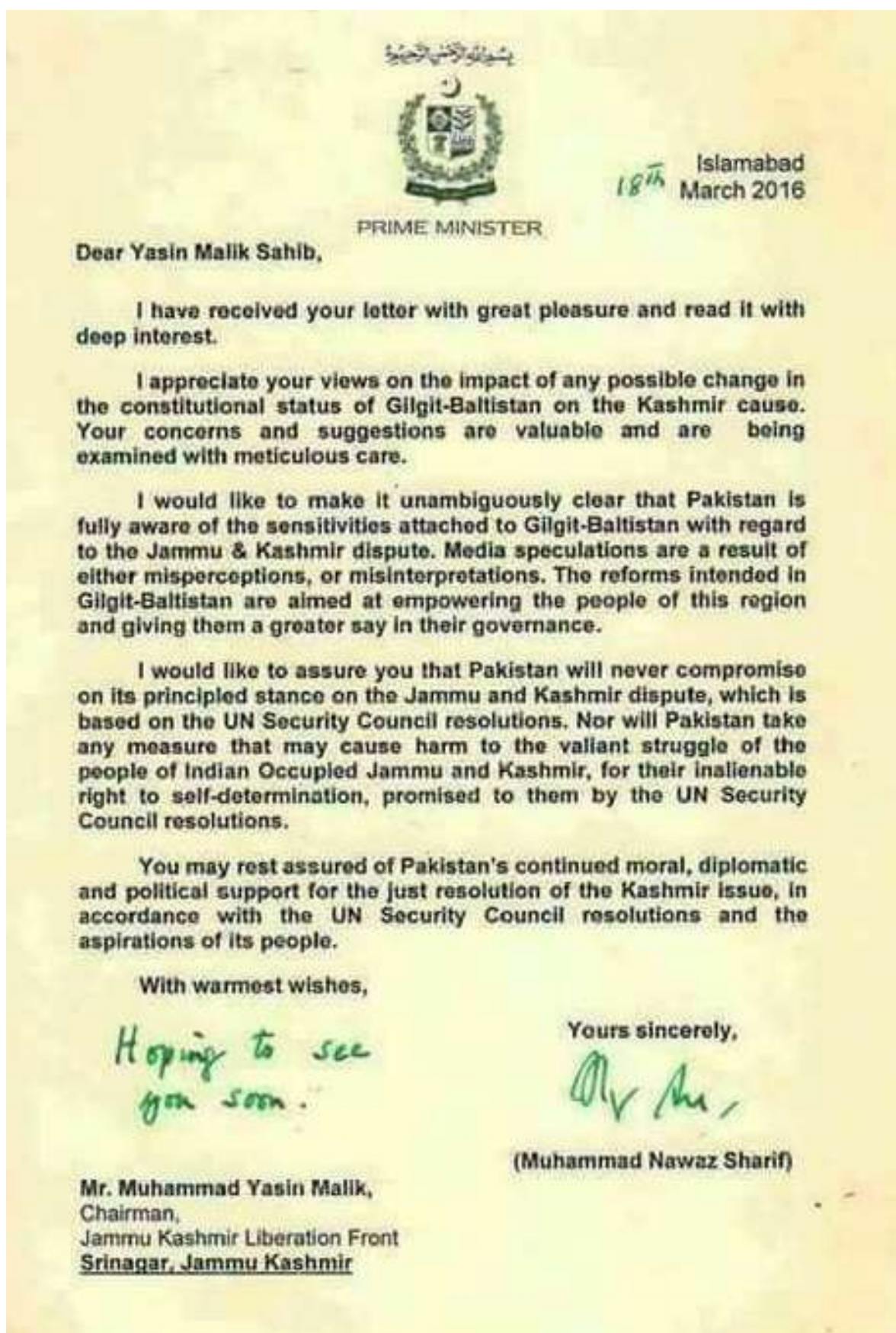
Section Officer Home
 Ph. # 05822-921636

Copy to:

1. Secretary to the President, Azad Jammu & Kashmir Muzaffarabad.
2. Secretary to the Prime Minister, Azad Govt. of the State of Jammu & Kashmir Muzaffarabad.
3. PSO to the Chief Secretary/Secretary Home, Azad Govt. of the state of Jammu & Kashmir Muzaffarabad.
4. PS to the Secretary Higher Education, Azad Govt. of the state of Jammu & Kashmir Muzaffarabad.
5. PS to the Secretary Elementary and secondary Education, Azad Govt. of the state of Jammu & Kashmir Muzaffarabad.
6. PS to the Secretary Information, Azad Govt. of the state of Jammu & Kashmir Muzaffarabad.
7. The Inspector General of Police, AJ&K Muzaffarabad.
8. The Divisional Commissioners, Muzaffarabad/Mirpur/Poonch, for further necessary action, please.
9. The Lieutenant Colonel, Sub Sector Commander, ISI, Muzaffarabad, AJ&K.
10. Controller Govt. Printing Press AJ&K, for publication in extra ordinary gazette.
11. Master file


 24/2

Appendix 8 - Pakistani PM, Nawaz Sharif letter to JKLF chairman



Submitted For and Behalf of

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